

Pages 4082 – 4089

Pulled for additional review

To: Brandon, Thomas E. (b) (6)
Cc: Allen, Joseph J. (b) (6)
From: Turk, Ronald B.
Sent: Mon 7/17/2017 1:12:19 PM
Subject: FW: Stakeholder Meeting Notes
[Stakeholder Meeting Notes-Firearms Industry GVP Explosives Industry LE.docx](#)

Sir – PGA notes from recent meetings. As we discussed, nothing complex or that EPS is not aware of.

Ron

From: Shaefer, Christopher C.
Sent: Wednesday, July 12, 2017 6:58 AM
To: Turk, Ronald B. (b) (6); Richardson, Marvin G. (b) (6)
Cc: Bennett, Megan A. <(b) (6)>; Gilbert, Curtis W. <(b) (6)>
Subject: FW: Stakeholder Meeting Notes

Sirs –

Attached is a summation, prepared by (b) (6) from the stakeholder meetings.

-Chris

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648.(b) (6) | C: (b) (6)



OPEN DISCUSSION OF REGULATION AND POLICY NOTES

All groups were asked to send follow-up comments and further suggestions to IGA.

FIREARMS INDUSTRY ASSOCIATIONS May 22, 2017

National Rifle Association
National Shooting Sports Foundation
Firearms Importer/Exporters Roundtable
American Suppressor Association
Orchid
Barnes & Associates
FFL Guard

Discussions centered on larger policy areas and legislation.

- The attendees asked ATF to consider consolidating regulations to accommodate changes to modern manufacturing processes and to redefine manufacturing in the GCA.
 - What constitutes manufacturing?
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- Their support for the Hearing Protection Act was discussed.
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GUN VIOLENCE PREVENTION ASSOCIATIONS
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To: Larry Keane (b) (6)
Cc: Brandon, Thomas E. (b) (6)
From: Turk, Ronald B.
Sent: Fri 7/14/2017 6:18:39 PM
Subject: Re: CJS Apropos - ATF

10-4; from what we see sounds like \$10 mil in the current House version is for EPS upgrades. Another \$10 mil TBD (potentially NIBIN); and the rest increases to bases expenses (that won't fully cover inflation in rent and salary increases).

On Jul 14, 2017, at 2:15 PM, Larry Keane <(b) (6)> wrote:

We asked for \$50M but got you \$35M.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office

400 No. Capitol St., NW

Suite 490

Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

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To: EMOG-SEPD Security Advisories (b) (6)
From: (b) (6)
Sent: Fri 7/14/2017 1:30:05 PM
Subject: FW: Information for July 14 NRA Women's March
[NRA Womans March Final.docx](#)

FYI.

From: (b) (6)
Sent: Friday, July 14, 2017 08:54
To: (b) (6)
Cc: (b) (6)
Subject: Information to Participate in Dashboard and HSIN Connect Room for July 14 NRA Women's March

FROM: (b) (6) Deputy Coordinator, Fairfax OEM
BCC TO ALL PARTNERS (Emergency Managers, Police Chiefs, Fire Chiefs, NCR Ops Center Committee)
In support of the NRA Protest/Rally and March which will begin at 10:00 AM this morning in Fairfax County we have activated both the DC Dashboard and the HSIN NCR Operations Connect Room. Both sites are available for access now and the information needed to enter can be found in the attached document.

Once the initial Rally ends at NRA Headquarters, (approximately Noon) the group will march from there into the City of Fairfax, back into Fairfax County, City of Falls Church, Arlington County and finally into the District of Columbia finishing up at the Department of Justice.

More details about the event and route can be found in the attached summary.

(b) (6)

(b) (6) CEM, Deputy Coordinator
Office of Emergency Management

McConnell Public Safety & Transportation Operations Center
4890 Alliance Drive, Suite 2100, Fairfax Virginia 22030
Office: (b) (6)
Cell: (b) (6)
Fax: 571-350-1105

 Follow us @ReadyFairfax

"The thunderbolt falls on an inch of ground; but the light of it fills the horizon"
--- Ralph Waldo Emerson

This e-mail message is for the sole use of the intended recipient and may contain privileged and/or confidential information. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the message.



(b) (6)

Principal Planner/Technical Manager
Metropolitan Washington Council of Governments
777 North Capital Street, NE
Suite 300
Washington, DC 20002

(b) (6)

FAX: 202-962-3203

email: (b) (6)

<http://www.mwccg.org>

**NRA Women's March
Summary
Friday, July 14, 2017
Final**

Summary

The group "Women's March" has indicated in multiple open forums to include social media that they are planning a protest/rally/march against the NRA due in part to recent advertisement featuring Dana Loesch (conservative talk radio host, author and television host at TheBlaze), the NRA releasing a new video attacking one of the Co-Founders of the organization as well as NRA's lack of public action regarding the Philando Castile trial verdict. He was shot by a police officer while legally carrying a firearm. The event is described as a "mass mobilization" and will include a rally and 18 mile march into the District of Columbia. Up to 8 different organizations may be participating in this event thus making it difficult to get any sense as to the number of participants. One of the groups in addition to the "Women's March" one of the other groups will be "Occupy"

Tamika Mallory – Co-President and Carmen Perez – Treasurer are both planning on attending to include other high profile members of this organization. It is reported that due to personal threats they may be bringing their own armed security force. In addition, it is reported that Reverend Al Sharpton has been invited to participate and may walk during some of the march.

On the "Women's March" website it also states that once walking group arrives in the District of Columbia they will be holding a "sleep in". Although no specific location was identified, it did reference that it would be in an outdoor public space in Washington D.C. The anticipated arrival at the Department of Justice is between 7 and 8 PM. The group plans on frequent stops for restroom, hydration and meals. It is reported that an accessible bus will be following those who are walking to provide a place to get out of the weather but to also provide access and functional needs participants a means to participate.

The final event is scheduled for Saturday, July 15 at 10:00 AM in front the Department of Justice located at 950 Pennsylvania Avenue NW. Washington D.C.

Women's March

www.womensmarch.com

Twitter: #NRA2DOJ

Date of Event

Friday, July 14, 2017

Location

NRA Headquarters
11250 Waples Mill Road
Fairfax Virginia 22030
877-672-2000

Weather (As of 7:30 AM – July 14)

- Showers and thunderstorms are likely mainly after 3:00 PM (80%)
 - Rainfall amounts of 1/4" – 1/2" during the event
- Possibly heavy rain and gusty winds with a chance of hail
- High of 90-95 with a heat index of 100-101, 50% Relative Humidity

Situation Awareness

NCR Dashboard – Event has been generated for this Rally (Operational 24/7)

- Mobile Dashboard: <https://hsema-dash.dc.gov/mobile/index.html>
- Dashboard Assistance: (b) (6)

NCR Operations HSIN Connect Room (Operational Friday July 14 at 8:30 AM)

- <https://share.dhs.gov/ncroperationsconnect/>

Fairfax County WebEOC (Active)

- FFX – NRA March – 7-14-17

IC3 – NCR Watch Center (Operational 24/7)

- (b) (6)

Timeline

Organizers arrive at NRA	6:00 AM
County meeting with organizers	7:00 AM
Arrival of protestors at NRA	9:00 AM
Rally/Speeches	10:00 – 11:30 AM
March Begins	12:00 PM (NRA HQ)
March Concludes	8:00 PM (District of Columbia – Department of Justice)

Crowd Estimates

- 150 – 1500
 - Could be significantly higher based on RSVP at over 650+ and those who have indicated a willingness to participate – 6,700+

Operations

- 3 FCPD and a supervisor will be at the NRA
- Fairfax County Helicopter is available to provide over watch of movements
 - Live video in the Fairfax County EOC
- Fairfax County Sheriff has a team available to support as needed
- NVRIC will have a presence at NRA to include analysts monitoring Social Media
- WRTAC and other Fusion centers will be monitoring
- VDOT Incident Management Coordinator will be at the NRA
- VDOT Evacuation trailers have been pre-deployed
 - MPSTOC and Columbia Pike
- VSP has tactical response teams available if needed
- Fairfax County CDU will have teams in service and ready to deploy as needed
- Fairfax Connector is the lead for transportation and has coordinated with all of the commuter bus companies in the impacted jurisdiction
- DC Metropolitan Police, Arlington and City of Fairfax Police will be monitoring and available as needed
- NRA security will be located within and around the crowd
- Multiple on scene security cameras are available as needed
- Fairfax County GIS is developing mapping solutions

Concerns

- Significant impact to traffic
- Extreme weather
 - Heat related injuries/medical calls/dehydration
 - Significant rain/Hail/Winds

- Number of persons involved (Unknown)
- Route of Travel - Confirmed
 - City of Fairfax (Extensive construction – no sidewalks)
 - Oak Street/RT 50/29 Near Paul VI School
 - Mclean Avenue and RT123
 - Lee Highway (RT29)/Anchorage Motel

Public/Regional Information

- (b) (6) will be coordinating with regional Public Affairs on any messaging needs
- Fairfax County Police PIO will be lead in traffic related social media messaging as well as other law enforcement related messaging for Fairfax County
- Fairfax County DPSC will be sending out coordinated traffic messages via Fairfax Alert
- Media is involved and has been requesting information (NBC4 among others)
- Channel 7 is on the scene at NRA

Operations Centers

- Fairfax County EOC will be monitoring (8:00 AM – TBD)
 - VDEM liaison will be on site
 - Joint Situation Report will be developed and disseminated
 - Fairfax County WebEOC, NCR HSIN will be monitored and updated
- Virginia Department of Transportation Traffic Operations Center
 - Monitoring the progress of the march organization
- District of Columbia EOC will be monitoring at steady state
 - IC3
 - Sending out coordinated messaging and situation reports to regional partners
 - Managing the Dashboard and providing updated information
- Fusion Centers
 - Will be providing coordinated messaging to the regional partners
 - Monitoring events and activities via social media

Communications

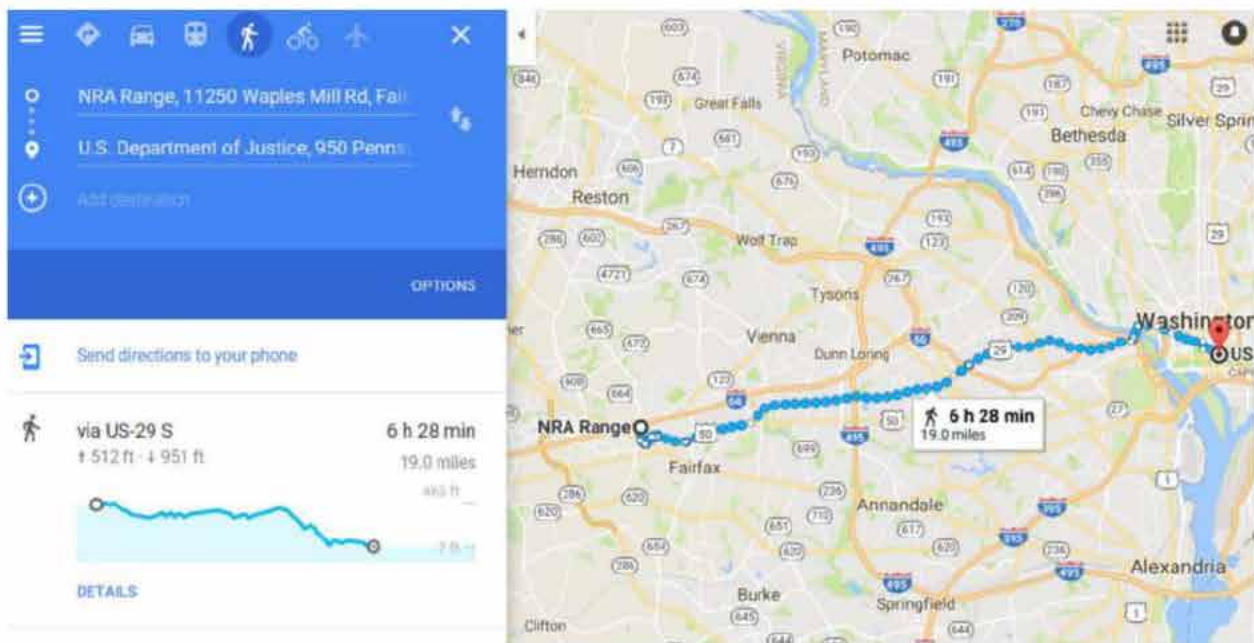
- Each jurisdiction will operate using their standard assigned operational channels
 - Fairfax County – 8OPS2
 - VDOT
 - (b) (6)
- Regional Interoperability channel has been assigned: 8TAC91(r)
 - Communications test will take place at 9:00 AM Friday morning, July 14

Health and Medical

- Virginia Department of Health and Fairfax Health have coordinated with other counties and the RHCC

Route of Travel

The Route of travel details were released late last night. No permit for street marching or any noise variance from any jurisdiction in Virginia has been issued for this event.



12:00 PM - START AT 11250 WAPLES MILL ROAD – NRA Headquarters

- HEAD SOUTH ON VA 665/WAPLES MILL RD

- TURN LEFT ON FAIRFAX BLVD

- TURN LEFT TO STAY ON FAIRFAX/ US 50 / US 29 AKA LEE HWY

12:45 PM - STRETCH / REST – MCLEAN AVE & US 29 (PARK/SHADE) **(2 Mile Mark)**

- CONTINUE EAST ON US 50/ US 29

1:45 PM - LUNCH / BATHROOMS – 9123 LEE HWY (SHOPPING CENTER) **(4.3 Mile Mark)**

(Lunch provided by Subway Sandwiches – will set up near trees/shade)

2:15 PM - RESUME MARCH

- CROSS LEE HWY TO TURN LEFT ONTO US 29 / LEE HWY & CONTINUE

3:30 PM - STRETCH AT GAZEBO – HYSON LANE & LEE HWY **(7.6 Mile Mark)**

- CONTINUE EAST ON US 29 / LEE HWY

4:30 PM - STRETCH / BATHROOMS – THE SHOPS AT SOUTHGATE **(10 Mile Mark)**

5:15 PM - STRETCH AT PARK/ELECTRICAL TOWER – 4900 Lee Highway **(12.2 Mile Mark)**

(Taco Bell and KFC)

6:45 PM - REST/PHOTO OP AT ARLINGTON GATEWAY PK – 1300 Lee Highway **(15.6 Mile Mark)**

8:30 PM - END AT DOJ **(18.6 Mile Mark – Conclusion)**

Points of Contact

- VDEM (FFX EOC)
- VDEM (DCHSEMA)
- VDOT
- Fairfax County
- Arlington County

(b) (6)

- City of Fairfax
- City of Falls Church
- District of Columbia
- IC3
- HSIN
- Transportation
- National Weather
- NRA Security
- WebEOC Support

(b) (6)

703-996-2201

(b) (6)

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From: Turk, Ronald B.
Sent: Mon 7/10/2017 8:29:54 PM
Subject: RE: The Trace: What Gun Regulations Should be "Repealed or Replaced"? The ATF Wants to Know.

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Sent: Monday, July 10, 2017 2:35 PM
To: Turk, Ronald B. (b) (6); Richardson, Marvin G. (b) (6) Allen,
Joseph J. (b) (6)
Subject: FW: The Trace: What Gun Regulations Should be "Repealed or Replaced"? The ATF Wants to Know.

FYSA

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) C: (b) (6)



From: (b) (6)
Sent: Monday, July 10, 2017 2:21 PM
To: Bennett, Megan A. (b) (6)
Subject: FW: The Trace: What Gun Regulations Should be "Repealed or Replaced"? The ATF Wants to Know.

thetrace.org

What Gun Regulations Should be "Repealed or Replaced"? The ATF Wants to Know.

by Ann Givens

The Bureau of Alcohol, Tobacco, Firearms and Explosives is polling outside interest groups about what gun regulations to eliminate following an edict from the Trump administration to cut government red tape.

In three closed-door meetings held in May and June, top ATF officials separately asked firearms-industry leaders, law enforcement officials, and representatives from gun-violence prevention groups what current regulations could be eliminated without risking public safety, according to attendees who went to one or more of the meetings.

An agenda for a May 22 meeting with gun-industry leaders, obtained by The Trace, asked attendees to consider three questions: what impact current regulations have on gun-violence prevention; what

regulations need to be “repealed, replaced, or modified,” and what regulations are outdated.

One person present at the meeting with gun-violence prevention groups, which also took place May 22, said officials asked whether there were any regulations that people present “would oppose eliminating.” This person said he feels there are many regulations that the ATF enforces that are essential to public safety, and that he wasn’t prepared to list all of them on the spot. Representatives from Americans for Responsible Solutions, the Brady Campaign to Prevent Gun Violence, and Everytown for Gun Safety attended the session. (Everytown provides financial support to The Trace).

Firearms-industry officials have long complained about what they call needless regulations enforced by the ATF, which oversees firearm manufactures and dealers, operates the national gun-tracing center, and enforces federal gun laws. In January, Ronald Turk, the agency’s associate deputy director and chief operating officer, [wrote a controversial white paper](#) suggesting that the bureau “review” more than two dozen regulations, including restrictions on the sale of silencers and armor-piercing bullets, and a ban on the import of some foreign-made rifles.

In February, President Trump signed an executive action directing each federal agency to set up a task force to identify costly regulations that could be scaled back.

Turk was the highest-ranking ATF official to attend the May and June meetings with the different interest groups. The discussions were intended to be private, and representatives from organizations that attended either declined to speak on the record or did not return calls seeking comment.

The ATF also declined to comment specifically on the meetings, but in an emailed statement, a spokesperson for the agency said that conversations with gun-industry representatives, in particular, are both routine and beneficial.

“Engaging in open dialogue with these professionals allows us to better understand the industries we regulate and clarify our processes and programs,” the spokesperson said.

Some details about the meeting with firearms-industry representatives had previously been made public. On May 26, Lawrence Keane, the senior vice president of the National Shooting Sports Foundation, an industry trade group, [said in a blog post](#) that he was happy to provide input on the “much-needed” reforms.

“It is a unique opportunity to work with an administration that wants to advance the contributions of the firearms and ammunition industries to our national, state and local economies,” Keane said in the post. “These are discussions that would allow industry members to continue to grow their businesses and create new jobs.”

According to two people present at the ATF meeting with gun-violence prevention groups, people present expressed concern about Turk’s white paper, which quoted the Second Amendment on its title page. They asked whether its tone indicated that the firearms industry has too much influence at the ATF.

Turk suggested in his paper that regulations be eased on purchasing suppressors, also known as silencers. Under the 1934 National Firearms Act, people who want to buy suppressors have to submit fingerprints and a photograph, pay a \$200 tax and be entered into a federal register. There is a backlog of about nine months for the ATF to process those applications.

Rolling back such restrictions is not something the ATF can do alone. A bill that would eliminate the

tax and the application process [is pending](#). Anyone buying a silencer from a licensed firearms dealer will still need to pass a background check.

In April, [Turk told](#) the House Committee on Oversight and Government Reform that he wrote the white paper to spur discussion, so the agency would be ready if the Trump administration asked for ideas about reducing regulations. He argued in the paper that the proposals would ease the burden on the ATF to enforce restrictions that have little public-safety benefit, and free up resources to fight crime.

One person present at the ATF meeting with gun-violence prevention groups said Turk stated during the dialogue that any reform that would compromise public safety “was probably not on the table.”

Representatives from the gun safety groups asked the ATF to provide them with more data, both about the bureau’s law enforcement efforts and about its industry regulation efforts, so that stakeholders could make educated assessments of whether policies are working. They said that ATF officials agreed to share the information.

The ATF said at the meetings that a key goal at the agency in the coming years is to improve infrastructure upgrades at several ATF facilities. At present, boxes of records from licensed gun dealers that are no longer in operation [are kept in shipping containers](#) in the parking lot of the National Tracing Center in Martinsburg, West Virginia, awaiting processing. The ATF would like to add a second story to the tracing center building to hold some of those documents, attendees said.

The ATF is also hoping to build a \$40 million facility, tentatively named the National Center for Gun Investigative Excellence, in Huntsville, Alabama. The center would provide local police departments support in [matching bullet casings](#) found at crime scenes with other shootings and crime guns, people at the meetings said. Funding for such a facility has not yet been allocated.

In a [blog post](#) about its meeting with the ATF, the National Association of Police Organizations said the ATF had not made any decisions about what regulations it will recommend easing. Other law enforcement groups present included International Association of Chiefs of Police, the Fraternal Order of Police and the National Sheriffs Association, among others, the post said.

“ATF currently does not have any regulations it is looking to repeal and it is still awaiting further direction from the Justice Department on how to implement the Executive Order,” the post said.

To: Turk, Ronald B. (b) (6) Richardson, Marvin G. (b) (6) Allen, Joseph J. (b) (6)
From: Shaefer, Christopher C.
Sent: Mon 7/10/2017 6:34:39 PM
Subject: FW: The Trace: What Gun Regulations Should be "Repealed or Replaced"? The ATF Wants to Know.

FYSA

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | C: (b) (6)



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Sent: Monday, July 10, 2017 2:21 PM
To: Bennett, Megan A. (b) (6)
Subject: FW: The Trace: What Gun Regulations Should be "Repealed or Replaced"? The ATF Wants to Know.

thetrace.org

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“ATF currently does not have any regulations it is looking to repeal and it is still awaiting further direction from the Justice Department on how to implement the Executive Order,” the post said.

To: All Assistant Directors (b) (6)
From: (b) (6)
Sent: Mon 7/10/2017 3:16:37 PM
Subject: UPDATED Report for 7/10
[PGA Weekly Report 071217 \(002\).docx](#)

Attached is PGA's Weekly Report which offers key activities conducted by PGA for your high-level situational awareness, including special events or meetings occurring in Headquarters.

This report is for limited internal distribution to those listed above, as items may change. This report does not represent all activities or all details, only those deemed necessary. If you need further information on any of the summarized activities, please contact PGA leadership.

(b) (6)
Supervisory Team Leader
ATF Executive Secretariat
202-648 (b) (6)
5-South-251



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Bureau of Alcohol, Tobacco, Firearms,
and Explosives



PGA SIGNIFICANT ACTIVITIES REPORT

July 10-14, 2017

SIGNIFICANT ACTIVITIES THIS WEEK

- The Joint Committee on Taxation has requested technical advice from the Legislative Affairs Division on the revenue impact of the Sportsmen Heritage and Recreational Enhancement (SHARE) Act, introduced in the House Natural Resources Committee. The SHARE Act contains numerous provisions, including the Hearing Protection Act. The conference call is scheduled for July 12, 2017, at 10:00am.
- On July 13 and 14, 2017, the Public Affairs Division will facilitate interviews with Special Agent (SA) (b) (6) and retired SA (b) (6) for the History Channel's "Moments in History." The segment will focus on the events that transpired in Waco during the 1993 Branch Davidian Siege at Mount Carmel.
- On Tuesday, July 11, 2017, CBS National News will interview Chicago SAC Celinez Nunez for a special documentary series that will be airing weekly during primetime in late July – CBSN ON ASSIGNMENT. The story will take a comprehensive look at how Chicago is combating gun violence, get SAC Nunez' insight on the issue, and talk to her more about last week's announcement of 20 ATF agents being assigned to Chicago to help combat gun violence.

EVENTS IN THE BUILDING

None scheduled at this time.

To: All Assistant Directors (b) (6)
From: (b) (6)
Sent: Mon 7/10/2017 2:47:56 PM
Subject: PGA Weekly Report for 7/10
[PGA Weekly Report 071017.docx](#)

Assistant Directors,

Attached is PGA's Weekly Report which offers key activities conducted by PGA for your high-level situational awareness, including special events or meetings occurring in Headquarters.

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(b) (6)

Supervisory Team Leader
ATF Executive Secretariat
202-648-(b) (6)
5-South-251



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Bureau of Alcohol, Tobacco, Firearms,
and Explosives



PGA SIGNIFICANT ACTIVITIES REPORT

July 10-14, 2017

SIGNIFICANT ACTIVITIES THIS WEEK

- The Joint Committee on Taxation has requested technical advice from ATF LAD on the revenue impact of the SHARE (Sportsmen Heritage and Recreational Enhancement) Act, introduced in the House Natural Resources Committee. The SHARE Act contains numerous provisions including the legislative language of H.R. 367, the Hearing Protection Act. The conference call is scheduled for July 12 at 10:00 AM.
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- On Tuesday, July 11, an interview is scheduled with CBS National News. CBS has launched a special documentary series that will air weekly during primetime on the network in late July – CBSN ON ASSIGNMENT. The story will take a comprehensive look at how Chicago is combating gun violence. They will interview Special Agent in Charge Celinez Nunez for a conversation with network correspondent Adriana Diaz on SAC Nunez's insight on the issue, and to talk to her more about last week's announcement of 20 ATF agents working with Chicago to combat gun violence.

EVENTS IN THE BUILDING

To: Turk, Ronald B. (b) (6)
From: (b) (6)
Sent: Wed 7/5/2017 5:45:03 PM
Subject: PERF is looking for compelling stories and arguments about Concealed Carry laws

Dear Assistant Director Turk,

I'm writing to ask for your help in presenting to Congress the views of police chiefs about how federal "concealed carry" legislation could hurt public safety. As you may know, Congress is considering the Concealed Carry Reciprocity Act of 2017, which would allow concealed-carry permit holders from any state to legally carry firearms in any other state that permits concealed carry, even if the state they are visiting has far more rigorous permitting requirements.

This has many concerned that, if this were to pass, concealed carry laws across the country would only be as strong as the weakest state's laws.

The measure is strongly opposed by the National Law Enforcement Partnership to Prevent Gun Violence, a coalition of groups that includes PERF, the Major Cities Chiefs Association, IACP, and others.

NYPD Commissioner [James O'Neill](#), Los Angeles Police Chief [Charlie Beck](#), and Manhattan District Attorney [Cy Vance](#) are pointing out the harmful implications of national concealed carry for crime-fighting and preventing terrorism. (Click on those three officials' names to see more about what they are saying on this issue.)

PERF is working to make a compelling case for why this concealed-carry reciprocity bill would put our communities at risk, and we need your help.

Here's an example of what I have in mind: In 2011, Chuck Ramsey, who at that time was Philadelphia Police Commissioner and President of PERF, [testified](#) before a House subcommittee on a bill that's similar to the one before Congress now. Commissioner Ramsey told Congress the real-world story of a criminal offender whose concealed carry permit was revoked by Philadelphia Police when he was charged with attempted murder. Despite the murder charge, this man was able to get a new concealed carry permit from Florida, because Pennsylvania had an individual reciprocity agreement with Florida.

After this accused murderer got back to Philadelphia, he used his Florida permit to carry a loaded gun, and he shot a teenager 13 times in the chest, killing him in the street.

As Chuck Ramsey pointed out, the federal reciprocity bills being considered by the U.S. Congress would nationalize the ill-conceived policies of state-by-state reciprocity, and would make it impossible for any state to maintain its own minimum standards on gun regulations. This is a "race to the bottom," in which the weakest state laws in effect become national laws.

So I hope you can help us by telling your own stories and your analysis of how this legislation would affect public safety in your community.

We will be grateful for your assistance in any way you wish to provide it. For example, we could interview you on the phone, type up your remarks, and send them back to you for your editing. Or if you prefer, you could write a few sentences or paragraphs about how this legislation would affect public safety and officer safety in your community. If you have a specific example from your jurisdiction that would demonstrate how this bill would impact your city, that would be perfect.

I see an important role for PERF in gathering information from you and other police chiefs, and presenting the information to Congress and the news media.

We are considering holding an event in Washington or Philadelphia in the late summer or fall, in which we would ask you and other chiefs to make a compelling case about why police think this bill would hurt the cities that have strong safeguards in place. If we don't stop his bill, we will see state and local gun safety standards nullified by Congress.

The text of the current version of the bill being considered is available here:
<https://www.congress.gov/bill/115th-congress/house-bill/38/text>.

Here's what I'm asking of you: If you can help PERF by providing your views and information about how this legislation could affect you and your department, or if you would like to help in any other way, please reply to this email and tell me what you think. And we can take it from there.

Best,

(b) (6)

This email was sent to (b) (6) by (b) (6)
Police Executive Research Forum • 1120 Connecticut Ave. NW, Suite 930, Washington, District of
Columbia 20036, United States
[Unsubscribe or Manage Preferences](#) • [Privacy Policy](#)

To: Turk, Ronald B. (b) (6)
From: Project ChildSafe | National Shooting Sports Foundation
Sent: Mon 6/26/2017 9:26:39 PM
Subject: Get involved with Project ChildSafe during National Safety Month

Hi RONALD,

Did you know June is National Safety Month? There is no better time to help spread the message of safe storage and responsible firearms ownership.

This Friday, Project ChildSafe, with the support of the National Shooting Sports Foundation and Winchester Safes, will announce our Friends and Family campaign grand prize winner.

Entering this contest is one simple way to help reinforce your commitment to gun safety in the home, at the range and anywhere in between.

There is still time to get involved and win a Bandit 9 Gun Safe courtesy of Winchester Safes. [Enter today!](#)

Good luck!

The Project ChildSafe Team

[Unsubscribe](#)

To: All Assistant Directors (b) (6)
From: (b) (6)
Sent: Mon 6/26/2017 2:59:28 PM
Subject: PGA Weekly Report
[PGA Weekly Report 062617.docx](#)

Assistant Directors,

Attached is PGA's Weekly Report which offers key activities conducted by PGA for your high-level situational awareness, including special events or meetings occurring in Headquarters.

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(b) (6)
Supervisory Team Leader
ATF Executive Secretariat
202-648-(b) (6)
5-South-251



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Bureau of Alcohol, Tobacco, Firearms,
and Explosives



PGA SIGNIFICANT ACTIVITIES REPORT

June 26-30, 2017

SIGNIFICANT ACTIVITIES THIS WEEK

- The Public Affairs Division (PAD) is staffing a NIBIN demonstration in Chicago on June 26 at 10am (CST) at the Chicago PD Headquarters. Senator Durbin, Chicago Police Superintendent Eddie Johnson, and Mayor Rahm Emanuel. The demonstration, which is closed to the press, will highlight the additional ATF NIBIN assets being provided to the Chicago Police Department (NIBIN van, firearms examiner, and NIBIN technology).
- PAD is conducting media training at the RAC/GS Leadership and Command Training at the U.S. Army War College June 26-28.
- Intergovernmental Affairs (IGA) is attending the National Sheriffs' Association (NSA) Annual Conference in Reno June 23-28.
- IGA is attending the U.S. Conference of Mayors' Annual Meeting in Miami, June 23-26.
- Legislative Affairs Division (LAD) staff, with the NFA Division Chief, will brief Congressman John Carter's staff on processing NFA Forms, in particular ATF Form 4s. The briefing will include the NFA Flow Chart with the details of the processing steps. The date of the briefing is to be determined but could be this week.
- The Joint Committee on Taxation has requested a staff briefing by ATF LAD on the revenue impact of the SHARE (Sportsmen Heritage and Recreational Enhancement) Act, introduced in the House Natural Resources Committee. The SHARE Act contains numerous provisions including the legislative language of H.R. 367, the Hearing Protection Act.
- The Web Media Branch (WMB) built a draft webpage for the potential launch of the new Federal Explosives Licensee (FEL) eZ Check system.
- The WMB and social media team will begin promoting the new eForm 4473.

EVENTS IN THE BUILDING

Field Operations is hosting Senator John Boozman in Headquarters June 29, from 3-5 p.m.

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Wed 6/21/2017 6:29:37 PM
Subject: RE: ATF budget request - NFA - \$4M

10-4. I will respond and let you know if there are any further questions.

Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Turk, Ronald B.
Sent: Wednesday, June 21, 2017 1:54 PM
To: Richardson, Marvin G. <(b) (6)>
Subject: Re: ATF budget request - NFA - \$4M

Copy and all sounds good. Thanks Marvin
On Jun 21, 2017, at 1:48 PM, Richardson, Marvin G. (b) (6) wrote:

Ron,

See email below from Larry. I have not answered him but I have highlighted the response that I would recommend. I don't think that we should get into specific amounts since it is all still tentative. I will wait for your response before taking any further action.

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Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Larry Keane [mailto:(b) (6)]
Sent: Wednesday, June 21, 2017 6:55 AM
To: Richardson, Marvin G. <(b) (6)>
Subject: ATF budget request - NFA - \$4M

Marvin,

A question on ATF's budget request that was recently sent up to the Hill. My understanding is ATF is seeking \$4M for NFA.

1/ Would any of \$4M go towards improvement to the e-forms? (Yes)

2/ Does the request assume passage of the Hearing Protection Act. Put differently, if HPA were to be enacted does ATF still need the \$4M for NFA? (No)

3/ Would \$50M still adequately address ATF EPS's key needs: physical space in Martinsberg, IT (e-Forms), personnel? (Yes)

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M:

(b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Wed 6/21/2017 5:54:05 PM
Subject: Re: ATF budget request - NFA - \$4M

Copy and all sounds good. Thanks Marvin

On Jun 21, 2017, at 1:48 PM, Richardson, Marvin G. <(b) (6)> wrote:

Ron,

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Washington DC Office
400 No. Capitol St., NW
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Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Wed 6/21/2017 5:48:06 PM
Subject: FW: ATF budget request - NFA - \$4M

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Bureau of ATF, Enforcement Programs & Services
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Headquarters
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Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: All Assistant Directors (b) (6)
From: (b) (6)
Sent: Mon 6/19/2017 1:30:49 PM
Subject: PGA Weekly Report
[PGA Weekly Report 061917.docx](#)

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5-South-251



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PGA SIGNIFICANT ACTIVITIES REPORT

June 19-23, 2017

SIGNIFICANT ACTIVITIES THIS WEEK

- LAD staff will deliver the first set of tobacco case documents requested by the Senate Judiciary Committee's letter dated June 6, 2017.
- The Joint Committee on Taxation has requested a staff briefing this week by ATF LAD on the revenue impact of the SHARE (Sportsmen Heritage and Recreational Enhancement) Act, introduced in the House Natural Resources Committee. The SHARE Act contains numerous provisions including the legislative language of H.R. 367, the Hearing Protection Act.
- Planning ATF participation at the National Sheriffs' Association (NSA) Annual Conference occurring in Reno, NV, June 23-28, 2017.
- Planning ATF participation at the US Conference of Mayors Annual Meeting in Miami Beach June 23-26, 2017.
- Launching new Director's Cut video – Mediation Methods

EVENTS IN THE BUILDING

- On June 19, 2017, hosting a meeting for ADD Turk and AD Shaefer with various law enforcement stakeholders to discuss regulations and policies.

To: Turk, Ronald B. (b) (6)
From: Gleysteen, Michael
Sent: Fri 6/16/2017 10:42:49 AM
Subject: Re: 10 Tips to Keeping Your Security Camera System in Tip-Top Shape | NSSF Blog

Thank you.

Michael

On Jun 16, 2017, at 6:35 AM, Turk, Ronald B. (b) (6) wrote:

Fyi

Begin forwarded message:

From: "Brandon, Thomas E." (b) (6)
Date: June 16, 2017 at 6:32:20 AM EDT
To: Larry Keane (b) (6)
Cc: "Graham, Andy R." (b) (6) "Richardson, Marvin G."
(b) (6) "McDermond, James E."
"Turk, Ronald B." (b) (6)
Subject: Re: 10 Tips to Keeping Your Security Camera System in Tip-Top Shape | NSSF Blog

Thanks, Larry. Great article.

This may be a different topic from security cameras, but nonetheless related to it, is for FFL's to ensure that they turn their security camera *recording device* on and that such storage device is also well maintained (*e.g.*, storage capacity).
Thanks, Tom

Sent from my iPad

On Jun 16, 2017, at 6:18 AM, Larry Keane (b) (6) wrote:

FYI more on retailer security

<http://www.nssfblog.com/10-tips-for-keeping-your-security-camera-system-in-tip-top-shape/>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

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M: (b) (6)

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Suite 490

Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Gleysteen, Michael (b) (6)
From: Turk, Ronald B.
Sent: Fri 6/16/2017 10:35:53 AM
Subject: Fwd: 10 Tips to Keeping Your Security Camera System in Tip-Top Shape | NSSF Blog

Fyi

Begin forwarded message:

From: "Brandon, Thomas E." <(b) (6)>
Date: June 16, 2017 at 6:32:20 AM EDT
To: Larry Keane (b) (6)
Cc: "Graham, Andy R." <(b) (6)> "Richardson, Marvin G." <(b) (6)> "McDermond, James E." (b) (6)
"Turk, Ronald B." <(b) (6)>
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To: Larry Keane (b) (6)
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McDermond, James E. (b) (6); Turk, Ronald B. (b) (6)
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To: Graham, Andy R. (b) (6) Richardson, Marvin G. (b) (6)
McDermond, James E. (b) (6) Turk, Ronald E. (b) (6) Brandon, Thomas
E. (b) (6)
From: Larry Keane
Sent: Fri 6/16/2017 10:15:06 AM
Subject: 10 Tips to Keeping Your Security Camera System in Tip-Top Shape | NSSF Blog

FYI more on retailer security

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To: Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Wed 6/14/2017 9:59:56 PM
Subject: Re: Bloomberg Article

Agreed, which was why I wanted you to be aware.

Chris

Regards,

Christopher Shaefer | ATF Assistant Director
Public and Governmental Affairs | O: 202.648.(b) (6) C: (b) (6)
On Jun 14, 2017, at 5:47 PM, Turk, Ronald B. <(b) (6)> wrote:

Thanks Chris. I think it's a little low to tie my regulation conversations to today's shooting but so it goes.....

On Jun 14, 2017, at 3:43 PM, Shaefer, Christopher C. <(b) (6)> wrote:

Sir – for your awareness:

[The NRA Racks Up Wins in Congress. The ATF Wants to Give It More](#)
Bloomberg

2 official at the **Bureau of Alcohol, Tobacco, Firearms, and Explosives** ... become official policy, but its mere presence may foretell changes at the **ATF**.

-Chris

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648.(b) (6) C: (b) (6)

<image001.jpg>

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
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Christopher Shaefer | Assistant Director

Public and Governmental Affairs | O: 202.648.(b) (6) | C: (b) (6)

<image001.jpg>

To: Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Wed 6/14/2017 7:43:27 PM
Subject: Bloomberg Article

Sir – for your awareness:

[The NRA Racks Up Wins in Congress. The ATF Wants to Give It More](#)

Bloomberg

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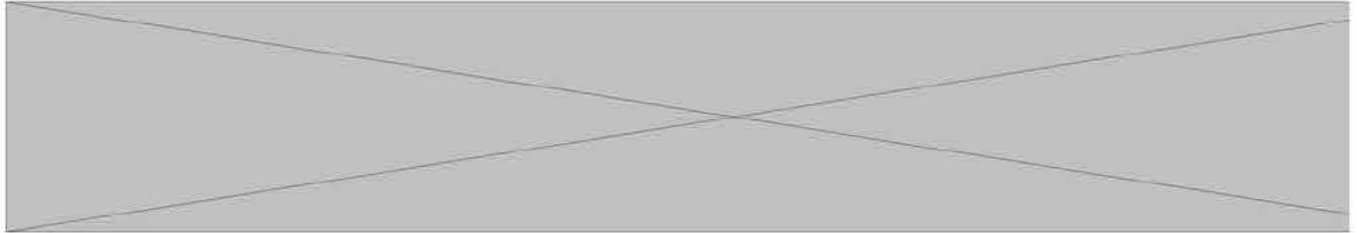
Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | c: (b) (6)



To: Turk, Ronald B (b) (6)
From: The IACP
Sent: Tue 6/13/2017 11:09:57 AM
Subject: IACP's The Lead: Law Enforcement Modernizing Recruitment To Attract More Officers

If you are unable to see the message or images below, [click here to view](#)



Greetings Ronald Turk
Tuesday, June 13, 2017



POLICING & POLICY

Law Enforcement Modernizing Recruitment To Attract More Officers.

In a 1,300 word analysis, the [New York Times](#) (6/12, Williams) reports police departments across the country “are rethinking recruitment standards once considered sacrosanct” in order to “fill thousands of openings,” and to “become as diverse as the communities they serve.” St. Paul Police Department senior commander John Lozoya said, “In the past, recruitment has been based on a 1950s model: six feet tall, right out of the military. ... But as we’ve evolved as a society, we realize we’re not like that. We had to look at our hiring practices. We had to adapt.” The Times explains that the “process of becoming a police officer is still onerous,” and “can take more than a year, and generally includes interviews, written and oral exams, physical and psychological examinations, a fitness test, a polygraph exam, drug testing, credit checks and an extensive background investigation.” The Times says some departments are easing restrictions on prior drug use by candidates, or getting rid of required college credits to apply, while other changes deal with physical appearance, such as having facial hair.

Kansas City Police Plan DUI Checkpoints Despite Lack Of Funding.


The [Kansas City \(MO\) Star](#) (6/12) reports, “Beginning next month, 66 Missouri law enforcement agencies, including the Kansas City Police Department, will lose funding for sobriety checkpoints.” A recently passed bill “shifts more than \$19 million in federal funds away from checkpoints to saturation patrols.” Kansas City Police Department Sgt. Chris Bentch, who supervises the DUI section, said the fear of checkpoints acts as a deterrent for impaired drivers. Bentch “monitors the public Facebook page KC DUI Checkpoints and witnesses the frenzy of checkpoint posts.” He “said the Kansas City department will do four checkpoints this year without the state funding, the first on June 30.” Bentch also “said there’s no way saturation

patrols could round up as many drunken drivers as skilled officers in a checkpoint.”

Police Using GPS Technology To Catch “Porch Pirates.”


[CBS News](#)  (6/12) reports, “Some police departments are trying new methods to catch brazen criminals known as ‘porch pirates’ – thieves who steal packages left on doorsteps.” Police are using new “technology for help, and doing their own deliveries, using bait packages with GPS trackers inside to find and arrest thieves.” The tactics “have been a success in several cities across the country,” including Southern California, where Arcadia police “say more than 100 suspected thieves have taken the bait.”

Florida Sheriff Attempting To Arrive At Solution To Legal Issues Behind Detainers.


The [Tampa Bay \(FL\) Times](#)  (6/12, Mooney) discusses the case of Malkhaz Ambroladze, a Guatemalan immigrant held for ICE by the Pinellas County Sheriff’s Office “for five days after he posted bail in a case that highlights an issue vexing sheriffs and jail operators throughout the country: When do they have legal authority to hold prisoners for ICE once they’re supposed to be released on local charges?” The Times says, “Pinellas Sheriff Bob Gualtieri is trying to craft a solution and has met with ICE officials in Washington, D.C., for a series of meetings in recent weeks.” Gualtieri is quoted saying, “The vast majority of sheriffs want to cooperate with ICE. ... We just need a legal way to do it.” The Times adds that some state and local jurisdictions “prohibit cooperation with ICE so increased co-operation is a non-starter.” The NYPD “currently complies with detainer orders only in cases involving violent or serious felonies,” while California’s TRUST Act “prevents local jails from holding detainees for ICE.”

CRIME & DRUGS

New York City Making Some Minor Offenses Civil Instead Of Criminal.

[Reuters](#)  (6/12, Allen) reports, “New York City will release new rules for police on Tuesday curbing the practice of bringing criminal charges against people caught drinking alcohol or urinating in public, among other minor offenses, in a shift championed by civil rights advocates.” Reuters says the measures are designed to “keep tens of thousands of people out of the city’s criminal courts each year,” and the effort “is also intended to prevent some immigrants from being targeted by federal agents for deportation, officials said.”

Thai Police Seize More Than One Million Methamphetamine Tablets.

The [AP](#)  (6/12) reports Thailand’s Narcotic Suppression Bureau “said Monday they have seized more than 1 million methamphetamine tablets this month, as trade in the illicit drug shows little sign of abating.” The Bureau “displayed 1.21 million methamphetamine tablets and 17 kilograms (37.4 pounds) of crystal methamphetamine it seized as it made arrests in four separate cases.”

[The program](#) for the IACP 23rd Annual Training Conference on Drugs, Alcohol, and Impaired Driving is now available. The conference will be held August 12 – 14, 2017, in National Harbor, MD! For more information or to register for this exceptional educational opportunity, please visit www.theIACP.org/dreconference.

Connect with the IACP
online:



IACP Event Calendar:



OFFICER SAFETY & WELLNESS

Some First Responders Dealing With PTSD One Year After Pulse Nightclub Mass Shooting.

[NPR](#) (6/12) reports that some first responders who handled casualties at last year's Pulse Nightclub mass shooting in Orlando, FL are now dealing with post-traumatic stress disorder. While only a few have come forward to discuss their PTSD diagnoses, such as police officer Gerry Realin who has been unable to work since the mass shooting, many others have not wanted to "come forward because they don't want to be seen as weak or unfit for duty."

NATIONAL SECURITY

ISIS Calls For Global Attacks During Ramadan.

[Reuters](#) (6/12) reports the official spokesman for ISIS, Abi al-Hassan al-Muhajer, purportedly distributed an audio message on Monday in which he called for followers to launch attacks "in Europe, America, Russia, Australia, Iraq, Syria, Iran, and the Philippines" during the holy month of Ramadan. Reuters notes the authenticity of the audio clip "could not be independently verified, but the voice was the same as a previous audio message purported to be from the spokesman."

ALSO IN THE NEWS

House Committee To Consider Bill Easing Gun Silencer Restrictions.

[Politico](#) (6/12, Bresnahan) reports a House Natural Resources subcommittee will begin consideration on Wednesday of the Sportsmen Heritage and Recreational Enhancement Act, which includes a provision that would make it easier to buy gun silencers. Rep. Jeff Duncan, who added the silencer provision to the SHARE Act, long has favored the policy and introduced a stand-alone silencer bill in January that has broad support, including from Democrats. Meanwhile, the SHARE Act faces stiff opposition from many Senate Democrats and gun-control groups.

MONDAY'S LEAD STORIES

- [USA Today Analysis: Pulse Nightclub Attack's Legacy Still Resonates With Florida Leaders.](#)
- [NYTimes A1: Opioid Dealers Embracing "Dark Web" To Sell Drugs By Mail.](#)
- [Man Strikes Two Police Officers, Another Individual With Truck In DC.](#)
- [NYTimes A1: British Officials Say Thwarted Plots Indicate Direct Contact With ISIS.](#)

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This complimentary copy of *The Lead* was sent to ronald.turk@atf.gov as a member benefit. View Bulletin Media's [privacy policy](#).

For information about other member benefits, please contact the IACP at membership@theiacp.org or 1.800.THE IACP.

[International Association of Chiefs of Police](#) | 44 Canal Center Plaza Suite 200 | Alexandria, VA 22314

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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Mon 6/12/2017 3:05:03 PM
Subject: Re: ATF, NSSF tight-lipped about success of reward matching program | Alternative

Thanks Larry

On Jun 12, 2017, at 8:41 AM, Larry Keane (b) (6) wrote:

FYI

<http://m.beforeitsnews.com/alternative/2017/06/atf-nssf-tight-lipped-about-success-of-reward-matching-program-3521644.html>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

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M: (b) (6)

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11 Mile Hill Road
Newtown, CT 06470

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To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6); Richardson, Marvin G. (b) (6); Graham, Andy R. (b) (6); McDermond, James E. (b) (6)
From: Brandon, Thomas E.
Sent: Mon 6/12/2017 1:03:15 PM
Subject: Re: ATF, NSSF tight-lipped about success of reward matching program | Alternative

10-4

Sent from my iPad

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Marvin G. (b) (6) Graham, Andy R. (b) (6) McDermond, James
E. (b) (6)
From: Larry Keane
Sent: Mon 6/12/2017 12:38:18 PM
Subject: ATF, NSSF tight-lipped about success of reward matching program | Alternative

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<http://m.beforeitsnews.com/alternative/2017/06/atf-nssf-tight-lipped-about-success-of-reward-matching-program-3521644.html>

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To: Richardson, Marvin G. (b) (6)
Cc: Turk, Ronald B. (b) (6) Graham, Andy R. (b) (6)
From: Gleysteen, Michael
Sent: Wed 6/7/2017 4:24:30 PM
Subject: Re: fflAlert - email

Copy.

Michael

On Jun 7, 2017, at 11:12 AM, Richardson, Marvin G. <(b) (6)> wrote:

Sounds good and should be doable. Would need to check the accuracy and completeness of email addresses and cell numbers submitted with the licensing information.

Marvin G. Richardson
Assistant Director, ATF

On Jun 7, 2017, at 7:57 AM, Turk, Ronald B. <(b) (6)> wrote:

FYI

From: Turk, Ronald B.
Sent: Wednesday, June 7, 2017 7:57 AM
To: 'Larry Keane' <(b) (6)>
Subject: RE: fflAlert - email

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Ron

From: Larry Keane [[mailto:\(b\) \(6\)](#)]
Sent: Wednesday, June 7, 2017 7:36 AM
To: Turk, Ronald B. (b) (6)
Subject: fflAlert - email

Ron

Hope all is well.

Read the Trace piece on fflAlert. Wondering if in addition to the phone calls ATF could sort FFL emails by state/zip code and then easily send out email blasts to the affected FFLs. Just an idea.

Same idea for texts - if you have the FFLs mobile numbers in the area. Send a group text.

Lawrence Keane

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To: Turk, Ronald B. (b) (6)
Cc: Graham, Andy R. (b) (6); Gleysteen, Michael (b) (6)
From: Richardson, Marvin G.
Sent: Wed 6/7/2017 4:12:19 PM
Subject: Re: fflAlert - email

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Marvin G. Richardson
Assistant Director, ATF

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Wed 6/7/2017 3:20:55 PM
Subject: RE: fflAlert - email

OK Keep me posted.

From: Ronald.B.Turk (b) (6)
Sent: Wednesday, June 07, 2017 11:17 AM
To: Larry Keane
Subject: Re: fflAlert - email

Andy said they just figured out a way to pull emails and are testing it in the next few weeks.
On Jun 7, 2017, at 10:12 AM, Larry Keane <(b) (6)> wrote:

Wonder if we can give you the emails for retailers we have for retailers? Or ask them to "opt in" to your program?

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Cc: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Wed 6/7/2017 3:16:29 PM
Subject: Re: fflAlert - email

Great - thanks Andy.

On Jun 7, 2017, at 11:15 AM, Graham, Andy R. (b) (6) > wrote:

Sir: the communicator ENS was just reprogrammed to accept emails. We have figured out a way to extract them from dashboard and have as recently as the day before yesterday, been sending fflALERTs out to both phone numbers and email addresses. Thought you should know. NOTE: AD Gleysteen was updated with this information yesterday. Thank you.

Sent from my iPhone

On Jun 7, 2017, at 6:57 AM, Turk, Ronald B. <(b) (6)> wrote:

FYI

From: Turk, Ronald B.
Sent: Wednesday, June 7, 2017 7:57 AM
To: 'Larry Keane' <(b) (6)>
Subject: RE: fflAlert - email

Doing fine Larry – hope you are too. Thanks for the note. We are looking into some of those options. Sounds like many FFLs don't have or provide an email to us, and phones are often not updated. We also recently added manufacturers to the list of calls (one of the licensees noted in their story was a manufacturer). Still room to improve this new program though.....

Ron

From: Larry Keane [[mailto:\(b\) \(6\)](#)]
Sent: Wednesday, June 7, 2017 7:36 AM
To: Turk, Ronald B. <(b) (6)>
Subject: fflAlert - email

Ron

Hope all is well.

Read the Trace piece on fflAlert. Wondering if in addition to the phone calls ATF could sort FFL emails by state/zip code and then easily send out email blasts to the affected FFLs. Just an idea.

Same idea for texts - if you have the FFLs mobile numbers in the area. Send a group text.

Lawrence Keane

SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M: (b) (6)

(b) (6)

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Suite 490
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Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Graham, Andy R.
Sent: Wed 6/7/2017 3:15:17 PM
Subject: Re: fflAlert - email

Sir: the communicator ENS was just reprogrammed to accept emails. We have figured out a way to extract them from dashboard and have as recently as the day before yesterday, been sending fflALERTs out to both phone numbers and email addresses. Thought you should know. NOTE: AD Gleysteen was updated with this information yesterday. Thank you.

Sent from my iPhone

On Jun 7, 2017, at 6:57 AM, Turk, Ronald B. (b) (6) wrote:

FYI

From: Turk, Ronald B.
Sent: Wednesday, June 7, 2017 7:57 AM
To: 'Larry Keane' (b) (6)
Subject: RE: fflAlert - email

Doing fine Larry – hope you are too. Thanks for the note. We are looking into some of those options. Sounds like many FFLs don't have or provide an email to us, and phones are often not updated. We also recently added manufacturers to the list of calls (one of the licensees noted in their story was a manufacturer). Still room to improve this new program though.....

Ron

From: Larry Keane [mailto:\(b\) \(6\)](#)
Sent: Wednesday, June 7, 2017 7:36 AM
To: Turk, Ronald B. (b) (6)
Subject: fflAlert - email

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To: Gleysteen, Michael (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Wed 6/7/2017 3:14:57 PM
Subject: Re: fflAlert - email

10-4

On Jun 7, 2017, at 11:13 AM, Gleysteen, Michael (b) (6) wrote:

If ok with Marvin we could have Andy and Curtis look into options and refined strategies?

Michael

On Jun 7, 2017, at 11:01 AM, Turk, Ronald B. (b) (6) wrote:

10-4 makes sense. Perhaps we can start looking into a mechanism to do that

On Jun 7, 2017, at 10:54 AM, Gleysteen, Michael (b) (6) wrote:

(b) (5)
(b) (5) just
my two cents.

Michael

On Jun 7, 2017, at 10:16 AM, Turk, Ronald B. (b) (6) wrote:

Guys - thoughts from your teams on below?

Begin forwarded message:

From: Larry Keane (b) (6)
Date: June 7, 2017 at 10:06:09 AM EDT
To: "ronald.b.turk" (b) (6)
Subject: Re: fflAlert - email

Wonder if we can give you the emails
for retailers we have for retailers? Or
ask them to "opt in" to your program?

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On Wed, Jun 7, 2017 at 8:16 AM -0400, "Ronald.B.Turk (b) (6)"

(b) (6) wrote:

Doing fine Larry – hope you are too. Thanks for the note. EPS is looking into those options. Sounds like many FFLs don't have or provide an email to us, and phones are often not updated. We also recently added manufacturers to the list of calls (one of the licensees noted in their story was a manufacturer). Still lots of room to improve this new program though.....

Ron

From: Larry Keane

[\(b\) \(6\)](mailto:(b) (6))

Sent: Wednesday, June 7, 2017 7:36 AM

To: Turk, Ronald B. (b) (6)

Subject: fflAlert - email

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To: Turk, Ronald B. (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Gleysteen, Michael
Sent: Wed 6/7/2017 3:13:40 PM
Subject: Re: fflAlert - email

If ok with Marvin we could have Andy and Curtis look into options and refined strategies?

Michael

On Jun 7, 2017, at 11:01 AM, Turk, Ronald B. <(b) (6)> wrote:

10-4 makes sense. Perhaps we can start looking into a mechanism to do that

On Jun 7, 2017, at 10:54 AM, Gleysteen, Michael <(b) (6)> wrote:

(b) (5)

(b) (5) Just my two cents.

Michael

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Begin forwarded message:

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Date: June 7, 2017 at 10:06:09 AM EDT
To: "[ronald.b.turk](#)" (b) (6)
Subject: Re: fflAlert - email

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(b) (6)

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From: Larry Keane [[\(b\) \(6\)](mailto:(b) (6))]

Sent: Wednesday, June 7, 2017 7:36 AM

To: Turk, Ronald B. (b) (6)

Subject: fflAlert - email

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To: Gleysteen, Michael (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Wed 6/7/2017 3:01:06 PM
Subject: Re: fflAlert - email

10-4 makes sense. Perhaps we can start looking into a mechanism to do that

On Jun 7, 2017, at 10:54 AM, Gleysteen, Michael <(b) (6)> wrote:

(b) (5)
(b) (5)

Just my two cents.

Michael

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Begin forwarded message:

From: Larry Keane <(b) (6)>
Date: June 7, 2017 at 10:06:09 AM EDT
To: "[ronald.b.turk](mailto:ronald.b.turk@nssf.org)" (b) (6)
Subject: Re: fflAlert - email

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Sent: Wednesday, June 7, 2017 7:36 AM

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To: Turk, Ronald B. (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Gleysteen, Michael
Sent: Wed 6/7/2017 2:54:47 PM
Subject: Re: fflAlert - email

(b) (5)

(b) (5) Just my two cents.

Michael

On Jun 7, 2017, at 10:16 AM, Turk, Ronald B. <(b) (6)> wrote:

Guys - thoughts from your teams on below?

Begin forwarded message:

From: Larry Keane <(b) (6)>
Date: June 7, 2017 at 10:06:09 AM EDT
To: "ronald.b.turk" (b) (6)
Subject: Re: fflAlert - email

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From: Larry Keane [mailto:(b) (6)]

Sent: Wednesday, June 7, 2017 7:36 AM

To: Turk, Ronald B. (b) (6)

Subject: fflAlert - email

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To: Richardson, Marvin G. [(b) (6)]; Gleysteen, Michael [(b) (6)]
From: Turk, Ronald B.
Sent: Wed 6/7/2017 2:16:25 PM
Subject: Fwd: fflAlert - email

Guys - thoughts from your teams on below?

Begin forwarded message:

From: Larry Keane <[(b) (6)]>
Date: June 7, 2017 at 10:06:09 AM EDT
To: "[ronald.b.turk](#)" [(b) (6)]
Subject: Re: fflAlert - email

Wonder if we can give you the emails for retailers we have for retailers? Or ask them to "opt in" to your program?

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[(b) (6)]

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On Wed, Jun 7, 2017 at 8:16 AM -0400, "[Ronald.B.Turk](#)" [(b) (6)]
<[(b) (6)]> wrote:

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Ron

From: Larry Keane [mailto:(b) (6)]
Sent: Wednesday, June 7, 2017 7:36 AM
To: Turk, Ronald B. <(b) (6)>
Subject: fflAlert - email

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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Wed 6/7/2017 2:15:58 PM
Subject: Re: fflAlert - email

That might be a great option for us to explore. I'll talk with our team about it

On Jun 7, 2017, at 10:12 AM, Larry Keane (b) (6) wrote:

Wonder if we can give you the emails for retailers we have for retailers? Or ask them to "opt in" to your program?

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Ron

From: Larry Keane ([\(b\) \(6\)](mailto:(b) (6)))
Sent: Wednesday, June 7, 2017 7:36 AM
To: Turk, Ronald B. <(b) (6)>
Subject: fflAlert - email

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Wed 6/7/2017 2:06:09 PM
Subject: Re: fflAlert - email

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To: Turk, Ronald B. (b) (6)
Subject: fflAlert - email

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To: Turk, Ronald B. (b) (6)
From: Gleysteen, Michael
Sent: Wed 6/7/2017 12:01:56 PM
Subject: Re: fflAlert - email

10-4.

Michael

On Jun 7, 2017, at 7:57 AM, Turk, Ronald B. (b) (6) wrote:

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From: Turk, Ronald B.
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To: Richardson, Marvin G. (b) (6) Graham, Andy R. (b) (6)
Cc: Gleysteen, Michael (b) (6)
From: Turk, Ronald B.
Sent: Wed 6/7/2017 11:57:47 AM
Subject: FW: fflAlert - email

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From: Turk, Ronald B.
Sent: Wednesday, June 7, 2017 7:57 AM
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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Wed 6/7/2017 11:56:39 AM
Subject: RE: fflAlert - email

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Wed 6/7/2017 11:36:23 AM
Subject: fflAlert - email

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To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6); McDermond, James E. (b) (6)
Richardson, Marvin G. (b) (6); Graham, Andy R. (b) (6)
From: Brandon, Thomas E.
Sent: Wed 6/7/2017 10:51:09 AM
Subject: Re: Firearms Range Security | NSSF Blog

Thanks, Larry. Great article. Deterrence (physical security) is key. Tom

Sent from my iPad

On Jun 7, 2017, at 6:36 AM, Larry Keane <(b) (6)> wrote:

FYI

<http://www.nssfblog.com/security-basics-how-to-criminal-proof-a-gun-store-or-shooting-range/>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office

400 No. Capitol St., NW

Suite 490

Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6) McDermond,
James E. (b) (6) Richardson, Marvin G. (b) (6) Graham, Andy
R. (b) (6)
From: Larry Keane
Sent: Wed 6/7/2017 10:32:59 AM
Subject: Firearms Range Security | NSSF Blog

FYI

<http://www.nssfblog.com/security-basics-how-to-criminal-proof-a-gun-store-or-shooting-range/>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

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Newtown, CT 06470

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To: Richardson, Marvin G. (b) (6) Gilbert, Curtis W. (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Tue 6/6/2017 11:12:47 AM
Subject: FW: GOP lawmaker invites colleagues to Capitol shooting range | TheHill

Good Morning Sirs –

FYI regarding the below article, highlighted area. I have checked and was not able to locate on ATF.Gov this verbiage. Are either of you aware of this?

-Chris

GOP lawmaker invites colleagues to Capitol shooting range | TheHill

Rep. Jeff Duncan has invited his colleagues to the Capitol Police shooting range in a Senate office building on Tuesday to try their hand at firing a gun with a silencer. Duncan's office said the South Carolina Republican is trying to drum up support for the Duncan-Carter Hearing Protection Act, which would eliminate a federal requirement that firearm silencers, also known as sound suppressors, be registered. Duncan along with Sen. Mike Crapo (R-Idaho) have invited both Democrat and Republican colleagues to join them at the shooting range in the Rayburn Office Building from 4:30 to 6:30 on Tuesday.

Under Duncan's proposal, purchasers would only be required to pass a National Instant Criminal Background Check to purchase a silencer – the same background check that's required when purchasing a gun. The bill, co-sponsored by Rep. John Carter (R-Texas), would also give people a tax refund if they purchased a suppressor before Oct. 22, 2015 — the date their bill was first introduced. Federal law now allows a \$200 tax to be imposed on someone buying a silencer.

While the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) website says that tax has not been charged since 1934, Duncan's bill would still provide the refund if someone can prove they were charged.

Duncan claims there's a misconception that suppressed firearms are used for violent purposes. "I want people to understand what a suppressor does in order to make an accurate judgment," Duncan said in a statement to The Hill. "Throughout this debate I can't tell you how many times I've heard folks fall on irrational talking points simply because they don't have the curiosity or wherewithal to educate themselves." Duncan said members are welcome to come just to observe on Tuesday or actively participate by firing both suppressed and unsuppressed weapons. "I hope they will take this opportunity to become informed policy makers as the HPA [Hearing Protection Act] makes its way through Congress," he said.

The National Rifle Association, which backs the legislation, has argued that the bill would bring gun shot noises below the 140 decibels the Centers for Disease Control and Prevention claim can cause permanent hearing damage. The group said recently that typical a gunshot can be louder than 160 decibels but a suppressor can reduce that sound by more than 30 decibels. Even with the suppressor, Duncan's office said a gun is still as loud as a jackhammer. Gun control groups like Everytown for Gun Safety, however, say the legislation will just make it easier for silencers to fall into the wrong hands.

"The loud and distinctive noise that a gun makes is one of its most important safety features: when people hear it, they realize they may need to run, hide, or protect others," the group said its website in a fact sheet on the proposal. "In mass shootings, being able to hear the gunshots can mean the difference between life and death."

<http://thehill.com/regulation/legislation/336430-gop-lawmaker-invites-colleagues-to-capitol-shooting-range>

Regards,

Christopher Shaefer | Assistant Director

Public and Governmental Affairs | O: 202.648(b) (6) C: (b) (6)



To: Turk, Ronald B. (b) (6)
From: NSSF | Project ChildSafe
Sent: Fri 6/2/2017 4:44:44 PM
Subject: Help NSSF spread the message of gun safety

Dear RONALD,

Kicking off this week, Project ChildSafe, with the support of the National Shooting Sports Foundation and its partners, is excited to launch the third annual Friends and Family campaign! Over the course of the next four weeks, we will be giving away amazing prizes from our partners to help spread the message of safe storage and responsible firearms ownership.

Share Project ChildSafe resources, messages and gun safety tips for your chance to win. There are many ways to enter, [check out our campaign](#) page today and get involved. Terms and conditions apply.

Our first two prize winners will be announced TODAY at 3 pm EDT. Enter for your chance to win!

Campaign Week 1: May 30 - June 2, 2017

- **Prize 1:** .22LR AR Conversion Kit, Bravo, w/3 Magazines, *courtesy of CMMG Inc*
- **Prize 2:** Crimson Trace CMR-205 Rail Master Pro Universal Red Laser Sight, *courtesy of Crimson Trace*

Campaign Week 2: June 5- 9, 2017

- **Prize 1:** Nikon's BLACK FORCE1000 Riflescope, *courtesy of Nikon*
- **Prize 2:** Nikon's MONARCH 7i VR Laser Rangefinder, *courtesy of Nikon*

Campaign Week 3: June 12 - 16, 2017

- **Prize 1:** ShotLock Shotgun 200M Solo-Vault, *courtesy of ShotLock*
- **Prize 2:** ShotLock Handgun 200E Solo-Vault, *courtesy of ShotLock*

Campaign Week 4: June 19 - 23, 2017

- **Prize 1 & 2:** RFID Hand Gun Safe, *courtesy of Winchester Safes*

Campaign Week 5: June 26 - 30, 2017

- **GRAND PRIZE:** Bandit 9 Gun Safe, *courtesy of Winchester Safes*

Winners will be announced on Facebook and Twitter each Friday during the campaign period at 3 pm EDT and followed-up with via email.

Good luck!

The Project ChildSafe Team

[Unsubscribe](#)

To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6) McDermond, James E. (b) (6)
Richardson, Marvin G. (b) (6)
From: Brandon, Thomas E.
Sent: Thur 6/1/2017 1:23:39 PM
Subject: Re: Retail Security: How Tough Is Your Store's Glass? | NSSF Blog

Thanks, Larry

Sent from my iPad

On Jun 1, 2017, at 9:22 AM, Larry Keane <(b) (6)> wrote:

FYI - we are working the issue.

<http://www.nssfblog.com/retail-security-how-tough-is-your-stores-glass/>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office

400 No. Capitol St., NW

Suite 490

Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Brandon, Thomas E. (b) (6); Turk, Ronald B. (b) (6); McDermont,
James E. (b) (6); Richardson, Marvin G. (b) (6)
From: Larry Keane
Sent: Thur 6/1/2017 1:17:56 PM
Subject: Retail Security: How Tough Is Your Store's Glass? | NSSF Blog

FYI - we are working the issue.

<http://www.nssfblog.com/retail-security-how-tough-is-your-stores-glass/>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

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11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Fri 5/26/2017 5:05:59 PM
Subject: RE: NSSF and ATF Meet for Regulatory Reform Discussions

10-4

From: Shaefer, Christopher C.
Sent: Friday, May 26, 2017 1:05 PM
To: Turk, Ronald B. (b) (6); Gleysteen, Michael (b) (6)
Subject: FW: NSSF and ATF Meet for Regulatory Reform Discussions

FYI below

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | C: (b) (6)



From: (b) (6)
Sent: Friday, May 26, 2017 12:49 PM
To: Shaefer, Christopher C. (b) (6); Bennett, Megan A. (b) (6)
(b) (6)
Subject: Fwd: NSSF and ATF Meet for Regulatory Reform Discussions

FYI

(b) (6)

Acting Chief
Bureau of Alcohol, Tobacco, Firearms and Explosives
Public Affairs Division
Begin forwarded message:

From: (b) (6)
Date: May 26, 2017 at 12:47:57 EDT
To: (b) (6)
Cc: (b) (6)
Subject: NSSF and ATF Meet for Regulatory Reform Discussions

NSSF and ATF Meet for Regulatory Reform Discussions

May 26, 2017 By NSSF News

National Shooting Sports Foundation leadership met with leadership at the Bureau of Alcohol, Tobacco, Firearms and Explosives in Washington, D.C., this week to discuss regulatory reforms. The meeting with the ATF was the start of discussions to streamline regulations specific to the firearms and ammunition industry.

The ATF meeting was in response to President Donald Trump's [Executive Order](#) reform regulations to "alleviate unnecessary regulatory burdens placed on the American people." The President's Executive Order tasked departments and agencies to identify regulations that eliminate or inhibit job creation, are unnecessary or old and impose excessive costs.

"We welcome the opportunity to provide the industry's voice for these much-needed regulatory reforms," said Lawrence G. Keane, NSSF Senior Vice President and General Counsel. "It is a unique opportunity to work with an administration that wants to advance the contributions of the firearms and ammunition industries to our national, state and local economies. These are discussions that would allow industry members to continue to grow their businesses and create new jobs."

NSSF has formed several industry working groups to identify regulations for potential reform. The groups are examining nearly every aspect of the firearms and ammunition industries, including the Department of Justice and ATF, import and export regulations, environmental and occupational safety, product shipment and associated industry taxes.

One of NSSF's strategic goals is to reduce the regulatory burden imposed on the lawful commerce in our industry's product when those regulations do simply add cost but do not advance public safety. "It is refreshing to have an administration that looks at government relations from the point of view of business and not from the point of view of a government bureaucrat," Keane added.

V/R

(b) (6)

Public Affairs Specialist

Bureau of Alcohol, Tobacco, Firearms and Explosives

Office: (202) 648-(b) (6)

Cell: (b) (6)

(b) (6)



PROTECTING THE PUBLIC
SERVING OUR NATION



To: Turk, Ronald B. (b) (6); Gleysteen, Michael (b) (6)
From: Shaefer, Christopher C.
Sent: Fri 5/26/2017 5:04:30 PM
Subject: FW: NSSF and ATF Meet for Regulatory Reform Discussions

FYI below

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648.(b) (6) | c:(b) (6)



From: (b) (6)
Sent: Friday, May 26, 2017 12:49 PM
To: Shaefer, Christopher C. (b) (6); Bennett, Megan A. (b) (6)
(b) (6)
Subject: Fwd: NSSF and ATF Meet for Regulatory Reform Discussions

FYI

(b) (6)
Acting Chief
Bureau of Alcohol, Tobacco, Firearms and Explosives
Public Affairs Division
Begin forwarded message:

From: (b) (6)
Date: May 26, 2017 at 12:47:57 EDT
To: (b) (6)
Cc: (b) (6)
Subject: NSSF and ATF Meet for Regulatory Reform Discussions

NSSF and ATF Meet for Regulatory Reform Discussions

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V/R

(b) (6)

Public Affairs Specialist

Bureau of Alcohol, Tobacco, Firearms and Explosives

Office: (202) 648-(b) (6)

Cell: (b) (6)

(b) (6)



PROTECTING THE PUBLIC
SERVING OUR NATION



To: Kueter Jr., Dean M. (b) (6)
Cc: Richardson, Marvin G. (b) (6); Gilbert, Curtis W. (b) (6)
Bennett, Megan A. (b) (6); Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Mon 5/22/2017 1:48:02 PM
Subject: RE: Agenda
[Stakeholder Meetings - Attendees.docx](#)

Update attached and thanks.

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) C: (b) (6)



From: (b) (6)
Sent: Monday, May 22, 2017 9:45 AM
To: Shaefer, Christopher C. <(b) (6)>
Cc: Richardson, Marvin G. (b) (6); Gilbert, Curtis W. (b) (6); Bennett, Megan A. (b) (6)
Subject: Re: Agenda

(b) (6) is replacing (b) (6)

(b) (6)

Chief-ATF Intergovernmental Affairs Division

On May 22, 2017, at 09:29, Shaefer, Christopher C. (b) (6) wrote:

Hi (b) (6) has the attached attendee list changes since last week? Note – I took the list off your email and dropped it into a clean Word doc....

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) C: (b) (6)

<image006.jpg>

From: (b) (6)
Sent: Friday, May 19, 2017 5:01 PM
To: Shaefer, Christopher C. <(b) (6)>; Richardson, Marvin G. (b) (6); Gilbert, Curtis W. <(b) (6)> Bennett, Megan A. <(b) (6)>
Subject: Agenda

I made some minor formatting edits. If it's ok, with you, I'll print copies tonight and be ready to roll on Monday.

(b) (6)

Chief

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Public and Governmental Affairs
Intergovernmental Affairs Division
99 New York Avenue, NE
Washington, DC 20226

Office: 202-648-(b) (6) Cell: (b) (6)

(b) (6) www.atf.gov



<Industry Meeting Agenda and Questions for 5-22-17.docx>
<Stakeholder Meetings - Attendees.docx>

Stakeholder Meetings – Attendees

May 22, 2017

Industry Groups – 10:00am – 12 Noon

Title	First Name	Last Name	Group	RSVP
(b) (6)			National Rifle Association	Y
			National Rifle Association	Y
			National Shooting Sports Foundation	Y
			National Shooting Sports Foundation	Y
			Firearms Importer/Exporters Roundtable	Y
			American Suppressor Association	Y
			American Suppressor Association	Y
			Orchid	Y
			Orchid	Y
			Barnes & Associates	Y
			FFL Guard	Y
			FFL Guard	Y

Gun Violence Prevention Groups – 2:00pm to 4:00pm

Title	First Name	Last Name	Group	RSVP
(b) (6)			Brady Campaign	Y
			Center for American Progress	Y
			Law Enforcement Partnership to Prevent Gun Violence	Y
			Law Enforcement Partnership to Prevent Gun Violence	Y
			Everytown	Y
			Everytown	Y

Training Room 1.N-580

To: Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Fri 5/19/2017 6:57:57 PM
Subject: FW: Topics
[Topics for May 22.docx](#)

Sir – attached is an agenda that will serve for both meetings Monday, albeit (b) (6) will change the header to reflect the group. Given the discussions points, what do you think about Marvin facilitating both?

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) C: (b) (6)



From: (b) (6)
Sent: Friday, May 19, 2017 12:42 PM
To: Bennett, Megan A. (b) (6); Shaefer, Christopher C. <(b) (6)>
Subject: Topics

FYI

(b) (6)

Chief

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Public and Governmental Affairs
Intergovernmental Affairs Division
99 New York Avenue, NE
Washington, DC 20226

Office: 202-648-(b) (6) Cell: (b) (6)
(b) (6) | www.atf.gov



OPEN DISCUSSION OF REGULATION AND POLICY

Bureau of Alcohol, Tobacco, Firearms and Explosives

May 22, 2017
10:00am to 12:00 noon

TOPICS FOR DISCUSSION

- Gun Shows
 - New Federal Firearms Licensees (FFL) Dealing Exclusively at Gun Shows
 - Interstate Sale of Firearms at Gun Shows
- Sporting Purpose Study
- NFA
 - Suppressors
 - Destructive Devices
- Demand Letters
- Pending ATF Regulation Regarding FFL Records Retention (20 years)
- Expanding Permissive Use of NICS Checks by FFL Holders
- Creation of a Database of Agency Rulings
- Regulations
 - 478.40 – Assault Weapons ban
 - 478.40a – prohibition language for assault weapons
 - 478.57(b) and (c) – assault weapons and large capacity magazines
 - 478.92 (portions) – AP ammo and large capacity magazines
 - 478.116 (portions) – importing large capacity magazines
 - 478.119 – importing large capacity magazines and feeding devices (belts, drums, strips...)
 - 478.132 – records keeping for large capacity feeding devices sold to law enforcement
 - 478.153 – request for large capacity magazines and feeding devices for manufacturer testing
 - 478.171 (portions) – exporting AP ammo and semi auto assault weapons
 - 479.32(a) and (c) – reduced importer/manufacturer tax rate 1988; short taxable year standards
 - 555.11 (portions) – obsolete dates; commerce in explosives
 - 555.27 (portions) - obsolete dates; explosives background checks
 - 555.33 (portions) - obsolete dates; licensees and permittees general explosives
 - 555.41 (portions) - obsolete dates; licenses and permits general explosives

- 555.45 (portions) - obsolete dates; licenses and permits general explosives
- 555.49 (portions) - obsolete dates; issuance of licenses and permits
- 555.51 (portions) - obsolete dates; duration of licenses and permits
- 555.57 (portions) - obsolete dates; change of control, RP's and employees
- 555.102 (portions) - obsolete dates; authorized operations by permittees
- 555.103 (portions) - obsolete dates; transactions between licensees and permittees
- 555.105 (portions) - obsolete dates; distribution to non licensees and non permittees
- 555.125 (portions) - obsolete dates; records maintained by permittees
- 555.126 (portions) - obsolete dates; transaction records
- 555.142 (portions) - obsolete dates; relief from disabilities
- 555.201 (portions) - obsolete dates; storage
- 555.224 (portions) - obsolete dates; table of distances

The White House
Office of the Press Secretary

For Immediate Release
February 24, 2017

Presidential Executive Order on Enforcing the Regulatory Reform Agenda

EXECUTIVE ORDER

- - - - -

ENFORCING THE REGULATORY REFORM AGENDA

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to lower regulatory burdens on the American people by implementing and enforcing regulatory reform, it is hereby ordered as follows:

Section 1. Policy. It is the policy of the United States to alleviate unnecessary regulatory burdens placed on the American people.

Sec. 2. Regulatory Reform Officers. (a) Within 60 days of the date of this order, the head of each agency, except the heads of agencies receiving waivers under section 5 of this order, shall designate an agency official as its Regulatory Reform Officer (RRO). Each RRO shall oversee the implementation of regulatory reform initiatives and policies to ensure that agencies effectively carry out regulatory reforms, consistent with applicable law. These initiatives and policies include:

- (i) Executive Order 13771 of January 30, 2017 (Reducing Regulation and Controlling Regulatory Costs), regarding offsetting the number and cost of new regulations;
- (ii) Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review), as amended, regarding regulatory planning and review;
- (iii) section 6 of Executive Order 13563 of January 18, 2011 (Improving Regulation and Regulatory Review), regarding retrospective review; and
- (iv) the termination, consistent with applicable law, of programs and activities that derive from or implement Executive Orders, guidance documents, policy memoranda, rule interpretations, and similar documents, or relevant portions thereof, that have been rescinded.

(b) Each agency RRO shall periodically report to the agency head and regularly consult with agency leadership.

Sec. 3. Regulatory Reform Task Forces. (a) Each agency shall establish a Regulatory Reform Task Force composed of:

- (i) the agency RRO;
- (ii) the agency Regulatory Policy Officer designated under section 6(a)(2) of Executive Order 12866;
- (iii) a representative from the agency's central policy office or equivalent central office; and
- (iv) for agencies listed in section 901(b)(1) of title 31, United States Code, at least three additional senior agency officials as determined by the agency head.

(b) Unless otherwise designated by the agency head, the agency RRO shall chair the agency's Regulatory Reform Task Force.

(c) Each entity staffed by officials of multiple agencies, such as the Chief Acquisition Officers Council, shall form a joint Regulatory Reform Task Force composed of at least one official described in subsection (a) of this section from each constituent agency's Regulatory Reform Task Force. Joint Regulatory Reform Task Forces shall implement this order in coordination with the Regulatory Reform Task Forces of their members' respective agencies.

(d) Each Regulatory Reform Task Force shall evaluate existing regulations (as defined in section 4 of Executive Order 13771) and make recommendations to the agency head regarding their repeal, replacement, or modification, consistent with applicable law. At a minimum, each Regulatory Reform Task Force shall attempt to identify regulations that:

- (i) eliminate jobs, or inhibit job creation;
- (ii) are outdated, unnecessary, or ineffective;
- (iii) impose costs that exceed benefits;
- (iv) create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;
- (v) are inconsistent with the requirements of section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note), or the guidance issued pursuant to that provision, in particular those regulations that rely in whole or in part on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard for reproducibility; or
- (vi) derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified.

(e) In performing the evaluation described in subsection (d) of this section, each Regulatory Reform Task Force shall seek input and other assistance, as permitted by law, from entities significantly affected by Federal regulations, including State, local, and tribal governments, small businesses, consumers, non-governmental organizations, and trade associations.

(f) When implementing the regulatory offsets required by Executive Order 13771, each agency head should prioritize, to the extent permitted by law, those regulations that the agency's Regulatory Reform Task Force has identified as being outdated, unnecessary, or ineffective pursuant to subsection (d)(ii) of this section.

(g) Within 90 days of the date of this order, and on a schedule determined by the agency head thereafter, each Regulatory Reform Task Force shall provide a report to the agency head detailing the agency's progress toward the following goals:

- (i) improving implementation of regulatory reform initiatives and policies pursuant to section 2 of this order; and
- (ii) identifying regulations for repeal, replacement, or modification.

Sec. 4. Accountability. Consistent with the policy set forth in section 1 of this order, each agency should measure its progress in performing the tasks outlined in section 3 of this order.

(a) Agencies listed in section 901(b)(1) of title 31, United States Code, shall incorporate in their annual performance plans (required under the Government Performance and Results Act, as amended (see 31 U.S.C. 1115(b))), performance indicators that measure progress toward the two goals listed in section 3(g) of this order. Within 60 days of the date of this order, the Director of the Office of Management and Budget (Director) shall issue guidance regarding the implementation of this subsection. Such guidance may also address how agencies not otherwise covered under this subsection should be held accountable for compliance with this order.

(b) The head of each agency shall consider the progress toward the two goals listed in section 3(g) of this order in assessing the performance of the Regulatory Reform Task Force and, to the extent permitted by law, those individuals responsible for developing and issuing agency regulations.

Sec. 5. Waiver. Upon the request of an agency head, the Director may waive compliance with this order if the Director determines that the agency generally issues very few or no regulations (as defined in section 4 of Executive Order 13771). The Director may revoke a waiver at any time. The Director shall publish, at least once every 3 months, a list of agencies with current waivers.

Sec. 6. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
February 24, 2017

To: All Special Agents in Charge (b) (6) All ASACS (b) (6); All Directors, Industry Operations (b) (6) Bennett, Megan A. (b) (6) Snaerer, Christopher
C. (b) (6) (b) (6)
(b) (6)

From: Gilbert, Curtis W.
Sent: Fri 5/12/2017 1:47:58 PM
Subject: FINAL FATD Technical Bulletin 17-01_5.10.17
[FINAL FATD Technical Bulletin 17-01_5.10.17.pdf](#)

Good morning all,

EPS has been receiving inquiries regarding pistol grip firearms such as the Mossberg Shockwave. Attached is a technical bulletin created by the Firearms and Ammunitions Technology Division to assist ATF personnel should they may come across such products during their daily activities. The bulletin explains why such products are not considered NFA or Shotguns, but rather "firearms" under the GCA.

Should you have any question, please contact FATD.

Thanks,
Curtis

Curtis W. Gilbert
Deputy Assistant Director
Enforcement Programs & Services
202-648-(b) (6) (Direct)
(b) (6) (Cell)



ATF Firearms & Ammunition Technology Division
Technical Bulletin 17-01
UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

May 10, 2017

Pistol-Grip Firearms
(Non-NFA)

The weapon described and depicted below has the following attributes:

- Overall length of approximately 26.5 inches.
- 12 gauge, smooth-bore barrel approximately 14-7/16 inches in length.
- Utilizes a shotgun-type receiver that has never had a shoulder stock attached.
- Fitted with a “bird’s head” grip in lieu of a shoulder stock.
- Pump-action.



Mossberg 590 Shockwave

The Mossberg 590 Shockwave, as described and depicted above, is a “firearm” subject to GCA provisions; however, it is not a “firearm” as defined by the NFA.



As background, the GCA, 18 U.S.C. § 921(a)(3), defines the term “firearm” to include *... any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive... [and] ... the frame or receiver of any such weapon....*

Further, the NFA defines “firearm” to include *... (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels less than 18 inches in length... [and] ... (5) any other weapon, as defined in subsection (e)....* (See 26 U.S.C. § 5845(a).)

Finally, the NFA, 26 U.S.C. § 5845(e), defines “any other weapon” (AOW) to include:

...any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive....

It is incorrect to refer to any of these pistol-grip, non-NFA firearms as shotguns, because they do not meet the definition of “shotgun” as defined:

*The term "**shotgun**" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.* (See 18 U.S.C. § 921(a)(5)).

The Mossberg 590 Shockwave is not a “shotgun” because it is not designed and intended to be fired from the shoulder due to the lack of a shoulder stock.

Two factors must be considered when determining whether a firearm such as the Mossberg 590 Shockwave is subject to NFA provisions: (1) overall length, and (2) its original configuration.

With regard to the first factor — overall length — the minimum length requirement is 26 inches. ATF has long held that any weapon less than 26 inches in overall length is automatically considered concealable on the person. If the Mossberg 590 Shockwave had an overall length of less than 26 inches, it would be classified as an AOW subject to NFA provisions because it would be a *weapon capable of being concealed on the person*.



The second factor considered is determining the original configuration of the weapon; specifically, one must determine if the weapon was originally configured as a shoulder-fired shotgun.

If a weapon was originally configured as a shotgun and subsequently assembled with a barrel less than 18 inches in length and the the shoulder stock is removed, it would now be classified as a “weapon made from a shotgun” even though it has an overall length exceeding 26 inches. However, a weapon that never was a “shotgun” cannot be classified as a “weapon made from a shotgun”.

For this reason (it is not designed and intended to be fired from the shoulder), such firearm also cannot be classified as a “short-barreled shotgun” even if the barrel is less than 18 inches in length.

Finally, the Mossberg 590 Shockwave is not classified as an AOW because its overall length exceeds 26 inches. The “Any Other Weapon” definition has no provision for a minimum barrel length; therefore, the barrel length is irrelevant provided the subject weapon is at least 26 inches in overall length.

The NFA has no “firearm” definition for a 12 gauge firearm, such as the Mossberg 590 Shockwave, that exceeds 26 inches in length and has a barrel less than 18 inches in length. As such, it is not subject to NFA provisions because it was never previously configured as a shotgun.

However, there are other pistol-grip firearms, such as the one depicted below, that may have originally been configured as a shotgun, and later had its shoulder stock removed and replaced with a pistol grip:



Mossberg 500 Cruiser



ATF Firearms & Ammunition Technology Division Bulletin 17-01

In the case of the weapon depicted above, the overall length exceeds 26 inches and the barrel length exceeds 18 inches. Therefore, this weapon is also not subject to NFA provisions, even if it was originally configured as a shotgun, because it does not meet any of the definitions for an NFA firearm.

Because these weapons are not designed to be fired from the shoulder, they should not be referred to as shotguns. They are simply GCA “firearms”. Because they are not shotguns, they cannot be lawfully transferred by an FFL to an out-of-state resident or someone under 21 years of age.

If you have any questions, please contact the Firearms & Ammunition Technology Division at (b) (6)



To: Turk, Ronald B. (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Larry Keane
Sent: Thur 5/11/2017 6:01:51 PM
Subject: Re:

Works for me.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

On Thu, May 11, 2017 at 1:50 PM -0400, "Ronald.B.Turk (b) (6)" wrote:

Hi Larry. Good seeing you as well. I think we prefer to keep this one at the organizational level vs individual companies; if not we'd probably get too large of a crowd. You are welcome to bring a 3rd rep on behalf of NSSF (whoever that is). Happy to further discuss with input from Marvin if needed. Thanks

Ron

From: Larry Keane [mailto:(b) (6)]
Sent: Wednesday, May 10, 2017 1:25 PM
To: Turk, Ronald B. (b) (6); Richardson, Marvin G. (b) (6)
Subject:

It was great to see you guys this week at the conference. Hey quick question. I assume the May 22 meeting is "invite only" - I have a few manufacturers asking whether they can or should attend..

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel

National Shooting Sports Foundation

W: (b) (6)

M:

(b) (6)

www.nssf.org

Washington DC Office
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Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Larry Keane (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Thur 5/11/2017 5:51:15 PM
Subject: RE:

Hi Larry. Good seeing you as well. I think we prefer to keep this one at the organizational level vs individual companies; if not we'd probably get too large of a crowd. You are welcome to bring a 3rd rep on behalf of NSSF (whoever that is). Happy to further discuss with input from Marvin if needed. Thanks

Ron

From: Larry Keane [mailto:(b) (6)]
Sent: Wednesday, May 10, 2017 1:25 PM
To: Turk, Ronald B. (b) (6); Richardson, Marvin G. (b) (6)
Subject:

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Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
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To: Turk, Ronald B. (b) (6) Richardson, Marvin G. (b) (6)
From: Larry Keane
Sent: Wed 5/10/2017 5:25:27 PM

It was great to see you guys this week at the conference. Hey quick question. I assume the May 22 meeting is "invite only" - I have a few manufacturers asking whether they can or should attend..

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

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Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Fri 5/5/2017 7:24:55 PM
Subject: Hotel address for Monday
[2017 FICC Agenda v15 05 04 17.pdf](#)

Ron, here is the hotel information for the Orchid conference Monday afternoon. I will meet you in front of the hotel and get you parked. Let me know if you need anything else. Have a good weekend!

Westin Hotel
801 N Glebe Rd, Arlington, VA 22203

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".



Orchid Advisors
The Firearm Industry's Trusted
Compliance & Operations Experts



		Track 1 (Manufacturing)	Track 2 (Distribution, Retail and Pawn)	Track 3 (Specialty Tracks)
Monday, May 8, 2017				
2:00-4:00	Track A	<u>The Coming Storm and the Firearms Accountability Counsel Taskforce</u> A discussion about the impact of large law firms and the Gun Control lobby on regulation and gun ownership Senator Luther Strange, Member of the United States Senate Larry Keane, SVP Government & Public Affairs, Assistant Secretary & General Counsel, NSSF Daniel Wilson, Office Managing Partner, Maynard Cooper John Neiman, Shareholder & Appellate Group Chair, Maynard Cooper Jon Rydberg, CEO, Orchid Advisors (Facilitator)		
2:00-4:30	Track B	<u>NFA, From A to Z</u> Everything That You Need to Know About NFA Compliance (b) (6) Division Chief, National Firearms Act Division, ATF Phil Milks, Orchid Advisors and former head of Compliance AAC / Remington Outdoors Company Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors and ASA Board Member		
5:00-6:00	Opening Night Cocktail Reception			
Tuesday, May 9, 2017				
7:00-7:50	Breakfast and Exhibitor time			
8:00 - 8:30am	Session 1	<u>Firearms Industry Compliance Conference Kickoff</u> An Introduction to the FICC Jon Rydberg, CEO, Orchid Advisors Larry Keane, SVP Government & Public Affairs, Assistant Secretary & General Counsel, NSSF		
8:30 - 9:15am	Session 2	<u>The Impact of a New Administration on the Firearm Supply Chain</u> Jim Drager, Executive Director and Principal, Strategy & Operations Practice, Orchid Advisors Ryan Nokes, Director, Marketplace Insight Jon Rydberg, CEO, Orchid Advisors		
9:15 - 10:15	Session 3	<u>ATF Keynote Address</u> Updates from ATF Headquarters in Washington, D.C. Marvin Richardson, Assistant Director, ATF Curtis Gilbert, Deputy Assistant Director, ATF Andy Graham, Deputy Assistant Director, ATF		
10:15-11:15	(Private Sessions)	<u>One on One Meetings with ATF</u> (Private Sessions by Appointment)		
10:15 - 10:30	Break and Exhibitor time			
10:30-11:15	Session 4	<u>ATF Inspections</u> An in-depth review of the ATF inspection process delivered by ATF's top inspection executive and an expert in the country's largest FFL Serial Number Inventories (Tools, Expectations, Best Practices, Correcting Findings) Andy Graham, Deputy Assistant Director, ATF Jon Rydberg, CEO, Orchid Advisors	<u>Firearms Retail Compliance</u> Designing your process, technology and compliance program to optimize firearms industry compliance (Ordering, Receiving, Stocking, SN Inv Checking, Theft / Loss Reporting, Transfers at the Point of Sale) Dan Rice, Director of US Ethics & Compliance, ATF and Lottery, Walmart Karri Allen, Counsel, Safariland Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors (Facilitator)	<u>Global Manufacturing and Sales in a Post-ITAR Era</u> How to keep your global processes and systems compliant (Regulations, Best Practices, Self Audit Tools) Michael Andersen, Senior Compliance Manager, Brownells Kevin Miller, Senior Trade & Security Consultant, Miller & Chevalier Jeff Grody, Executive Director & Principal, Export Services Practice, Orchid Advisors Jordan Young, Export Services Manager, Orchid Advisors
11:15 - 12:00	Session 5		<u>A&D Analytics for Compliance</u> How to master A&D book data and using its results to shape receiving, shipping, and master data functions Michelle Ingram, Executive Director, Data Analytics Practice, Orchid Advisors Alexis Tunel, Operations Executive, Orchid Advisors	

		Track 1 (Manufacturing)	Track 2 (Distribution, Retail and Pawn)	Track 3 (Specialty Tracks)
Tuesday, May 9, 2017				
12:00-12:55		Lunch Break		
1:00-2:45	Session 6	<u>Agency - ATF Breakout Sessions</u> Provided by ATF, DDTc and FBI NICS Personnel Room 1: ATF NFA Room 2: ATF Import & Technology Room 3: ATF Regulations & FBI NICS Room 4: ATF Inspections Room 5: DDTc		
2:45-3:00		Coffee, Networking, Exhibitor Break		
3:00 - 4:30	Session 7	<u>Part 1 - GCA & NFA Manufacturing Compliance</u> Designing your process, technology and compliance program to optimize firearms industry compliance (A&D Book Design, Engineering/R&D, Master Data Creation, Imports (Form 6/6a) and Markings) Matthew Trask, Director of Corporate Compliance, Remington Ron Ketterling, Founder & Owner, Easy Bound Book Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors (Facilitator)	<u>Best Practices in Retail Security & Retail Point of Sale (POS) for Compliance</u> (Security, Self-Assessments, e4473, eNICS, and eA&D) (b) (6) vision Chief, Special Operations Division, ATF Bill Napier, Store Security Consultant, NSSF Sam Kirkland, Strategy Manager, Epicor Software Alexis Tunell, Operations Executive, Orchid Advisors	<u>Suppressor Regulation - Past, Present and Future</u> History of Suppressor Regulation, the Hearing Protection Act and the Future of Suppressors Stephen P. Halbrook, Attorney at Law Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors and ASA Board Member
5:00-7:00		Cocktail Reception		
Wednesday, May 10, 2017				
7:00-7:50		Breakfast and Exhibitor Time		
8:00-8:15	Session 8	<u>Day 2 FICC Introduction</u> Jon Rydberg, CEO of Orchid Advisors		
8:15-9:00	Session 9	<u>Industry Government Relations Update</u> Larry Keane, SVP Government & Public Affairs, Assistant Secretary & General Counsel, NSSF		
9:15-10:00	Sessions 10	<u>Part 2 - GCA & NFA Manufacturing Compliance</u> Designing your process, technology and compliance program to optimize firearms industry compliance (Receiving, Production (Form 2), Scrapping, SN Inventory, Shipping (FFL / SOT and Form 3, 5, 9)) Matthew Trask, Director of Corporate Compliance, Remington Dan Spencer, General Counsel, CZ-USA Jon Rydberg, CEO, Orchid Advisors (Facilitator)	<u>Future of NICS and the Impact on Retail</u> Current NICS Process, Future Technology, Enhancing NICS POS / Transfer Compliance Jill Montgomery, Supervisory NICS Liaison Specialist FBI NICS Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors (Facilitator)	<u>State Regulations</u> Understanding Federal vs State Agencies and 2015-2017 State Regulatory Updates Phillip Nelsen, Attorney, Author of 50 State Guide to Firearm Laws and Founder of Legal Heat Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors (Facilitator)
10:00-10:30		Break and Exhibitor Time		
10:30 - 11:15	Session 11	<u>Building a Compliance Function Amidst Rapid Growth</u> Policy and Cultural Development, Balancing Operations and Compliance, Top 10 Techniques for Compliance Cole Roberts, Compliance Manager, Hudson Manufacturing Camden Webb, Partner, Williams Mullen Charles "Chuck" James, Partner, Williams Mullen Jon Rydberg, CEO, Orchid Advisors (Facilitator)	<u>Maintaining ATF Licenses and Regulated Records</u> Which records and how long (ATF OOB, Paper vs Electronic, Retention Software) J. Clayton Cheshire, Principal at Munitions Law Group Cheshire DeBrosse, P.C. Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors (Facilitator)	<u>Export Compliance Best Practices</u> <u>DDTC and Industry Perspectives</u> (Regulations, Best Practices) Candace Goforth, Managing Director, Goforth Trade Advisors, LLC Raymond Ruthen, Sr. Manager, International Trade Compliance, Pratt & Whitney Jeff Grody, Executive Director & Principal, Export Services Practice, Orchid Advisors
11:15 - 12:00	Session 12	<u>Firearm Component Compliance</u> <u>ATF Compliance When Buying and Receiving Regulated Components</u> (Sourcing Suppliers, FFL / SOT Checking, Applying for Variances, Managing Firearms at Suppliers, Markings) David Power, Vice President, Oneida Molded Plastics Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors	<u>FFL Liability Concerns</u> <u>Operating your business from a dealer, retailer and manufacturer standpoint on minimizing liability</u> Ryan L. Erdreich, Esq.; Pisciotti Malsch, P.C. Scott L. Braum, Esq.; Scott L. Braum & Associates, Ltd. Alexis Tunell, Operations Executive, Orchid Advisors (Facilitator)	

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Fri 5/5/2017 2:34:27 PM
Subject: RE: Invitation to Open Discussion with ATF Associate Deputy Director Ronald B. Turk

Sure. See you then

From: Larry Keane [mailto:(b) (6)]
Sent: Friday, May 5, 2017 9:48 AM
To: Turk, Ronald B. <Ronald.Turk@atf.gov>
Subject: Fwd: Invitation to Open Discussion with ATF Associate Deputy Director Ronald B. Turk

Let's talk at FICC

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

----- Forwarded message -----

From: (b) (6)
Date: Fri, May 5, 2017 at 9:44 AM -0400
Subject: Invitation to Open Discussion with ATF Associate Deputy Director Ronald B. Turk
To: (b) (6)
Cc: (b) (6)



The Bureau of Alcohol, Tobacco, Firearms and Explosives'
Associate Deputy Director Ronald B. Turk
Invites you to an open discussion of regulations and policy

10:00am to 12:00pm

May 22, 2017

ATF HQ
99 New York Avenue, NE
Washington, DC 20226

We gladly welcome two representatives from each organization and please RSVP to (b) (6) by May 18, 2017.

(b) (6)

Division Chief, Firearms and Explosives Industry Division

6.N-648

Direct: (202) 648-(b) (6)

Cell: (b) (6)

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Fri 5/5/2017 1:47:36 PM
Subject: Fwd: Invitation to Open Discussion with ATF Associate Deputy Director Ronald B. Turk

Let's talk at FICC

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

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Newtown, CT 06470

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Date: Fri, May 5, 2017 at 9:44 AM -0400
Subject: Invitation to Open Discussion with ATF Associate Deputy Director Ronald B. Turk
To: (b) (6)
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Washington, DC 20226

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(b) (6) by May 18, 2017.

(b) (6)

Division Chief, Firearms and Explosives Industry Division

6.N-648

Direct: (202) 648-(b) (6)

Cell: (b) (6)

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Thur 5/4/2017 7:29:02 PM
Subject: RE: 2015 Accenture NFA BPR overview

10-4

From: Richardson, Marvin G.
Sent: Thursday, May 4, 2017 3:23 PM
To: Turk, Ronald B. (b) (6)
Subject: 2015 Accenture NFA BPR overview

FYI. Attached is the Accenture document that we were referring to this morning.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

Pages 4230 – 4233

Pulled for additional review

To: Turk, Ronald B. (b) (6)
Cc: Bennett, Megan A. (b) (6)
From: Shaefer, Christopher C.
Sent: Thur 5/4/2017 3:44:48 PM
Subject: FW: ATF Stakeholder Meetings
[ATF Stakeholder Meeting List.docx](#)

Sir – please see revised attached from IGA.

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648.(b) (6) C: (b) (6)





ATF STAKEHOLDER MEETINGS

Meeting 1	Meeting 2	Meeting 3	Meeting 4
National Rifle Association (NRA)	Everytown	Institute of Makers of Explosives (IME)	International Association of Police (IACP)
National Shooting Sports Foundation (NSSF)	Brady Campaign	International Society of Explosive Engineers (ISEE)	Major Cities Chiefs of Police (MCCP)
American Firearms Retailers Association (AFRA)	Center for American Progress	Pyrotechnics Guild International (PGI)	National Sheriffs' Association (NSA)
Firearms Importers/Exporters Roundtable (FAIR)	Coalition to Stop Gun Violence	American Pyrotechnics Association (APA)	Major County Sheriffs' Association (MCSA)
National Association of Arms Shows (NAAS)	Law Center to Prevent Gun Violence	National Fireworks Associations (NFA)	Police Executive Research Forum (PERF)
American Suppressor Association (ASA)	Americans for Responsible Solutions		Police Foundation
	Violence Policy Center		Fraternal Order of Police (FOP)
	National Law Enforcement Partnership to Prevent Gun Violence		National Association of Police Organizations (NAPO)
	Moms Demand Action for Gun Sense		National District Attorneys Association (NDAA)
			US Conference of Mayors (USCM)
			National League of Cities (NLC)
			National Association of Counties (NACo)

Attendance: Two reps from each group; flexible if a group wanted a 3rd
Tentative Dates: May 22/23//June 5/6/8 (Megan and Curtis out for tentative June dates)
Duration: 2 hours
Room set: Hollow Square/Board Room//1st Floor Training Room/DCR-No preference
ATF Execs: ADD Turk Chairs meeting//AD Shaefer/AD Gleysteen/AD Richardson//DAD Bennett/DAD Gilbert
Agenda/Read Ahead: Comments/Action Items/What does industry want//Policy/Regs/Leg

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Thur 5/4/2017 1:24:29 PM
Subject: EPS Meeting

Hi Marvin. After the 1000 meeting let's talk about a BPR for NFA processes, and the regulatory DOJ meeting(s) coming up. We can do it after, or with any staff you want to have there as well.

Thanks,
Ron

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Thur 5/4/2017 12:43:40 PM
Subject: RE: Orchid Advisors

10-4. I will arrange.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Turk, Ronald B.
Sent: Wednesday, May 3, 2017 4:49 PM
To: Richardson, Marvin G. (b) (6)
Subject: RE: Orchid Advisors

Great – 2:00 works fine for a quick opening. Thanks

From: Richardson, Marvin G.
Sent: Wednesday, May 3, 2017 1:16 PM
To: Turk, Ronald B. (b) (6)
Subject: RE: Orchid Advisors

Ron,

We have a session that (b) (6) is participating in on Monday from 2:00 to 4:30 PM on NFA. There are about 70+ industry members who will be attending. That is the only session that we have on Monday. I spoke with (b) (6) and he thinks that that would be a good forum as well. Let me know and I will make arrangements for you to either speak at the beginning or whenever we arrive (we have staff on Monday from 1:00 to 2:00).

Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Turk, Ronald B.
Sent: Monday, May 1, 2017 4:27 PM

To: Richardson, Marvin G. <(b) (6)>

Subject: RE: Orchid Advisors

Thanks – let me know if there is a good time for me to swing by Mon to say hello

From: Richardson, Marvin G.

Sent: Monday, May 1, 2017 3:15 PM

To: Turk, Ronald B. <(b) (6)>

Subject: Orchid Advisors

Ron,

FYI. Attached is the agenda for next week's Orchid Advisors conference. Let me know if you have any questions.

Marvin G. Richardson

Assistant Director

Bureau of ATF, Enforcement Programs & Services

Office (202) 648-(b) (6)

Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

To: Turk, Ronald B. (b) (6) Shaefer, Christopher C. (b) (6) Allen,
Joseph J. (b) (6)
From: Brandon, Thomas E.
Sent: Thur 5/4/2017 11:21:44 AM
Subject: A 14" Non-NFA 870? Remington's New TAC-14 – NRA 2017 - YouTube

Short video (2 minutes 31 seconds)

<https://m.youtube.com/watch?v=SXwml1iDRn4>

Sent from my iPad

To: Turk, Ronald B. (b) (6); Shaefer, Christopher C. (b) (6) Allen,
Joseph J. (b) (6)
From: Brandon, Thomas E.
Sent: Thur 5/4/2017 11:08:36 AM
Subject: A Non-NFA 14" Shotgun? The Mossberg Shockwave 12 Ga. – Full Review. - YouTube

<https://m.youtube.com/watch?v=Qgb7Y7xaF9I>

Sent from my iPad

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Wed 5/3/2017 8:48:43 PM
Subject: RE: Orchid Advisors

Great – 2:00 works fine for a quick opening. Thanks

From: Richardson, Marvin G.
Sent: Wednesday, May 3, 2017 1:16 PM
To: Turk, Ronald B. (b) (6)
Subject: RE: Orchid Advisors

Ron,

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Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Turk, Ronald B.
Sent: Monday, May 1, 2017 4:27 PM
To: Richardson, Marvin G. (b) (6)
Subject: RE: Orchid Advisors

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Sent: Monday, May 1, 2017 3:15 PM
To: Turk, Ronald B. (b) (6)
Subject: Orchid Advisors

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Marvin G. Richardson
Assistant Director

Bureau of ATF, Enforcement Programs & Services

Office (202) 648-(b) (6)

Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

To: All Special Agents in Charge (b) (6) All ASACS (b) (6) All Directors, Industry
Operations (b) (6) All Division Ops Officers (b) (6)
Cc: (b) (6)
From: (b) (6)
Sent: Wed 5/3/2017 6:15:20 PM
Subject: ***FMS NOTIFICATION MESSAGE - #17-0503.2 – PRIORITY: INFORMATIONAL – Mossberg 590 Shockwave***
[Shockwave-Letter-from-ATF-3-2-17.pdf](#)

THIS MESSAGE AUTHORIZED BY THE CHIEF, FIELD MANAGEMENT STAFF

Several inquiries have been submitted regarding the Mossberg 590 Shockwave and its classification.

Specifically, agents have inquired as to whether this firearm falls under the purview of the National Firearms Act (NFA).

The firearm's overall length is approximately 26.5 inches; it has a 12 gauge smooth bore barrel; it has a "bird head's" grip (it never had a shoulder stock); and the magazine capacity is five.

A picture of the firearm is below:



Mossberg 590 Shockwave

This firearm is a firearm subject to Gun Control Act (GCA) provisions; however, it is not a firearm as defined by the NFA.

The firearm was not manufactured to be fired from the shoulder, thus it does not fall into the definition of a short barreled shotgun or weapon made from a shotgun. It does not fall into the definition of a pistol under the NFA. It doesn't meet the any other weapon (AOW) definition because it is not a pistol with a smooth bore (reference the definition of pistol in 27 CFR 479.11).

In addition, it doesn't meet the definition of an AOW because the overall length is greater than 26 inches.

Historically, ATF has held that 'capable of being concealed on the person' applies to firearms less than 26 inches in overall length.

Thus, the firearm is a firearm under the GCA, but not under the NFA.

The Firearms and Ammunition Technology Division (FATD) in Enforcement Programs and Services Directorate will be issuing a technical bulletin on this firearm in the near future.

Please direct any questions to FATD at (b) (6)



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

MAR 02 2017

907010: (b) (6)
3311/305/66

O.F. Mossberg & Sons, Inc.
7 Grasso Ave
North Haven, CT 06473-3237

This refers to your letter to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB). Specifically, you requested classification of a new Mossberg, model 590, serial number V0348718 with regards to the Gun Control Act of 1968 (GCA) and the National Firearms Act (NFA).

As background, the GCA, 18 U.S.C. § 921(a)(3), defines the term "firearm" to include *...any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive...[and]...the frame or receiver of any such weapon....*

Further, the NFA defines "firearm" to include *...a shotgun having a barrel or barrels of less than 18 inches in length...[and]...any other weapon, as defined in subsection (e)....*
(See 26 U.S.C. §§ 5845(a)(1) and (5).)

Finally, the NFA, 26 U.S.C. § 5845(e), defines "any other weapon" as follows:

...any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

With respect to markings, please note that 27 CFR § 478.92 states the following:

...each licensed manufacturer or licensed importer of any firearm manufactured or imported shall legibly identify each such firearm by engraving, casting, stamping (impressing), or otherwise conspicuously placing or causing to be engraved, cast, stamped (impressed) or placed on the frame or receiver thereof in a manner not susceptible of being readily obliterated, altered, or removed, an individual serial number not duplicating any serial number placed by the manufacturer or importer on any other firearm, and by engraving, casting, stamping (impressing), or otherwise conspicuously placing or causing to be engraved, cast, stamped (impressed), or placed on the frame or receiver, or barrel thereof in a manner of not susceptible of being readily obliterated, altered or removed, the model, if such designation has been made; the caliber or gauge; the name (or recognized abbreviation of same) of the manufacturer and also, when applicable, of the importer; in the case of a domestically made firearm, the city and State (or recognized abbreviation thereof) wherein the licensed manufacturer maintains its place of business; and in the case of an imported firearm, the name of the country in which manufactured and the city and State (or recognized abbreviation thereof) of the importer.

Furthermore, for firearms manufactured or imported on and after January 30, 2002, the engraving, casting, or stamping (impressing) of the serial number must be to a minimum depth of .003 inch and a minimum height of 1/16 inch. All other markings must be of a minimum depth of .003 inch.

Background:

Certain firearms, having attributes similar to your sample, have been previously classified by our Branch, such as the weapon described below:

- Utilizes a shotgun-type receiver that has never had a shoulder stock attached.
- Fitted with a "bird's head" grip in lieu of a shoulder stock.
- Pump action.
- 12 gauge, 14-inch smooth-bore barrel.
- Overall length exceeding 26 inches.

The weapon, as described above, is a "firearm" subject to GCA provisions; however, it is not a "firearm" as defined by the NFA. Please note that if the subject firearm is concealed on a person, the classification with regard to the NFA may change.

Results of the FTISB examination of the submitted firearm, fully identified below, is as follows:

Mossberg, Model 590, 12 gauge, pump action firearm, serial number V0348718



The FTB examination found that the submitted sample, Mossberg, Model 590, 12 gauge, pump action firearm, serial number V0348718, has the following features and characteristics:

- The overall length is approximately 26-1/2 inches.
- 12 gauge smooth-bore barrel approximately 14-7/16 inches in length.
- The firearm has a "bird's head" grip (never had a shoulder stock attached).
- The magazine capacity is five.
- The firearm weighs approximately 5.35 pounds.

FTISB found the following markings:

Receiver (left side)	V0348718 (<i>serial number</i>)
Receiver (bottom)	MOSSBERG NORTH HAVEN, CT -----U.S.A.----- 590 12 GA.
Barrel (left side)	CHAMBERED FOR 2 ¾ AND 3 IN. SHELLS -----12 GA. --- CYLINDER BORE-----
Barrel (right side)	WARNING BEFORE USE, READ OWNER'S MANUAL FOR SAFE OPERATION ----- FREE FROM P.O. BOX 586, EAGLE PASS, TX. USA 78853
Barrel (top)	P

FTISB found the markings required by 27 CFR § 478.92 met the required minimum depth of .003 inch.

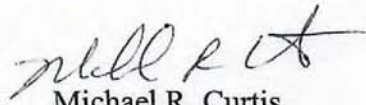
The Mossberg, model 590, serial number V0348718 as described above, is a "firearm" subject to GCA provisions; however, it is not a "firearm" as defined by the NFA. Please note that if the subject firearm is concealed on a person, the classification with regard to the NFA may change.

We caution that these findings are based on the sample as submitted. If the design, dimensions, configuration, method of operation, or materials used were changed, our determinations would be subject to review.

The sample will be returned under separate cover.

We trust that the foregoing has been responsive to your request. If we can be of any further assistance, please contact us.

Sincerely yours,



Michael R. Curtis

Chief, Firearms Technology Industry Services Branch

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Wed 5/3/2017 5:16:09 PM
Subject: RE: Orchid Advisors

Ron,

We have a session that (b) (6) is participating in on Monday from 2:00 to 4:30 PM on NFA. There are about 70+ industry members who will be attending. That is the only session that we have on Monday. I spoke with (b) (6) and he thinks that that would be a good forum as well. Let me know and I will make arrangements for you to either speak at the beginning or whenever we arrive (we have staff on Monday from 1:00 to 2:00).

Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Turk, Ronald B.
Sent: Monday, May 1, 2017 4:27 PM
To: Richardson, Marvin G. (b) (6)
Subject: RE: Orchid Advisors

Thanks – let me know if there is a good time for me to swing by Mon to say hello

From: Richardson, Marvin G.
Sent: Monday, May 1, 2017 3:15 PM
To: Turk, Ronald B. (b) (6)
Subject: Orchid Advisors

Ron,

FYI. Attached is the agenda for next week's Orchid Advisors conference. Let me know if you have any questions.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

To: Richardson, Marvin G. (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Gleysteen, Michael
Sent: Mon 5/1/2017 10:57:14 PM
Subject: Re: Shockwave- FATD Technical Bulletin 17-xx_2.27.17.pdf

Thanks, Marvin. We will push this out to folks for situational awareness.

Michael

On May 1, 2017, at 6:43 PM, Richardson, Marvin G. <(b) (6)> wrote:

Michael,

Per our conversation. Attached is a draft of the FATD bulletin regarding the Mossberg Shockwave. It is the predecessor to Remington's TAC 14 and has some of the same features. The bulletin is currently in circulation for approval. Please let me know if you have any further questions or feel free to reach out to (b) (6) as well.

Take care.

Marvin G. Richardson

Assistant Director

Bureau of ATF, Enforcement Programs & Services

Office (202) 648-(b) (6)

Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Griffith, Earl L.

Sent: Monday, May 1, 2017 3:42 PM

To: Richardson, Marvin G. (b) (6)

Cc: Gilbert, Curtis W. (b) (6)

Subject: Shockwave- FATD Technical Bulletin 17-xx_2.27.17.pdf

Remington's answer to the Shockwave

At 26.25 inches overall and with a Raptor Shockwave pistol grip, the 12-gauge's 14-inch cylinder bore barrel is not a National Firearms Act regulated item as it is a "firearm" and not an SBS or AOW, thus no tax stamp is required under federal law, though state and local laws may apply.

<image001.jpg>

The 12-gauge accepts both 2 3/4 and 3-inch shells

The Tac 14 is based on the standard 870 design and incorporates a Magpul M-LOK fore-end rather than the traditional corn-cob pump. Weight goes a tad over five pounds while magazine capacity is five shells (4+1).

<FATD Technical Bulletin 17-xx_2.27.17.pdf>



To: Gleysteen, Michael (b) (6)
Cc: Turk, Ronald B (b) (6)
From: Richardson, Marvin G.
Sent: Mon 5/1/2017 10:43:57 PM
Subject: FW: Shockwave- FATD Technical Bulletin 17-xx_2.27.17.pdf
[FATD Technical Bulletin 17-xx_2.27.17.pdf](#)

Michael,

Per our conversation. Attached is a draft of the FATD bulletin regarding the Mossberg Shockwave. It is the predecessor to Remington's TAC 14 and has some of the same features. The bulletin is currently in circulation for approval. Please let me know if you have any further questions or feel free to reach out to Earl as well.

Take care.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Griffith, Earl L.
Sent: Monday, May 1, 2017 3:42 PM
To: Richardson, Marvin G. <(b) (6)>
Cc: Gilbert, Curtis W. (b) (6)
Subject: Shockwave- FATD Technical Bulletin 17-xx_2.27.17.pdf

Remington's answer to the Shockwave

At 26.25 inches overall and with a Raptor Shockwave pistol grip, the 12-gauge's 14-inch cylinder bore barrel is not a National Firearms Act regulated item as it is a "firearm" and not an SBS or AOW, thus no tax stamp is required under federal law, though state and local laws may apply.



The 12-gauge accepts both 2 3/4 and 3-inch shells

The Tac 14 is based on the standard 870 design and incorporates a Magpul M-LOK fore-end rather than the traditional corn-cob pump. Weight goes a tad over five pounds while magazine capacity is five shells (4+1).



ATF Firearms & Ammunition Technology Division

Technical Bulletin 17-xx

UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

Mar xx, 2017

Pistol-Grip Firearms

(Non-NFA)

The weapon described and depicted below has the following attributes:

- Overall length of approximately 26.5 inches.
- 12 gauge, smooth-bore barrel approximately 14-7/16 inches in length.
- Utilizes a shotgun-type receiver that has never had a shoulder stock attached.
- Fitted with a “bird’s head” grip in lieu of a shoulder stock.
- Pump-action.



Mossberg 590 Shockwave

The Mossberg 590 Shockwave, as described and depicted above, is a “firearm” subject to GCA provisions; however, it is not a “firearm” as defined by the NFA. Please note that if the subject firearm is concealed on a person, the classification with regard to the NFA may change.



ATF Firearms & Ammunition Technology Division

Technical Bulletin 17-xx

UNCLASSIFIED/LAW ENFORCEMENT SENSITIVE

Page 1 of 4
Mar xx, 2017

As background, the GCA, 18 U.S.C. § 921(a)(3), defines the term “firearm” to include *...any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive... [and] ...the frame or receiver of any such weapon....*

Further, the NFA defines “firearm” to include *... (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels less than 18 inches in length... [and] ... (5) any other weapon, as defined in subsection (e)....* (See 26 U.S.C. § 5845(a).)

Finally, the NFA, 26 U.S.C. § 5845(e), defines “any other weapon” (AOW) to include:

...any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive....

It is incorrect to refer to any of these pistol-grip, non-NFA firearms as shotguns, because they do not meet the definition of “shotgun” as defined:

*The term "**shotgun**" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.* (See 18 U.S.C. § 921(a)(5)).

The Mossberg 590 Shockwave is not a “shotgun” because it is not designed and intended to be fired from the shoulder due to the lack of a shoulder stock.

Two factors must be considered when determining whether a firearm such as the Mossberg 590 Shockwave is subject to NFA provisions: (1) overall length, and (2) its original configuration.



With regard to the first factor — overall length — the minimum length requirement is 26 inches. ATF has long held that any weapon less than 26 inches in overall length is automatically considered concealable on the person. If the Mossberg 590 Shockwave had an overall length of less than 26 inches, it would be classified as an AOW subject to NFA provisions because it would be a *weapon capable of being concealed on the person*.

The second factor considered is determining the original configuration of the weapon; specifically, one must determine if the weapon was originally configured as a shoulder-fired shotgun.

If a weapon was originally configured as a shotgun and subsequently assembled with a barrel less than 18 inches in length and the the shoulder stock is removed, it would now be classified as a “weapon made from a shotgun” even though it has an overall length exceeding 26 inches. However, a weapon that never was a “shotgun” cannot be classified as a “weapon made from a shotgun”.

For this reason (it is not designed and intended to be fired from the shoulder), such firearm also cannot be classified as a “short-barreled shotgun” even if the barrel is less than 18 inches in length.

Finally, the Mossberg 590 Shockwave is not classified as an AOW because its overall length exceeds 26 inches. The “Any Other Weapon” definition has no provision for a minimum barrel length; therefore, the barrel length is irrelevant provided the subject weapon is at least 26 inches in overall length.

The NFA has no “firearm” definition for a 12 gauge firearm, such as the Mossberg 590 Shockwave, that exceeds 26 inches in length and has a barrel less than 18 inches in length. As such, it is not subject to NFA provisions because it was never previously configured as a shotgun.

However, there are other pistol-grip firearms, such as the one depicted below, that may have originally been configured as a shotgun, and later had its shoulder stock removed and replaced with a pistol grip:





Mossberg 500 Cruiser

In the case of the weapon depicted above, the overall length exceeds 26 inches and the barrel length exceeds 18 inches. Therefore, this weapon is also not subject to NFA provisions, even if it was originally configured as a shotgun, because it does not meet any of the definitions for an NFA firearm.

Because these weapons are not designed to be fired from the shoulder, they should not be referred to as shotguns. They are simply GCA “firearms”. Because they are not shotguns, they cannot be lawfully transferred by an FFL to an out-of-state resident or someone under 21 years of age.

If you have any questions, please contact the Firearms & Ammunition Technology Division at (b) (6)



To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Mon 5/1/2017 7:15:20 PM
Subject: Orchid Advisors
[2017FICCagenda.pdf](#)

Ron,

FYI. Attached is the agenda for next week's Orchid Advisors conference. Let me know if you have any questions.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".



Orchid Advisors
The Firearm Industry's Trusted Compliance & Operations Experts



		Track 1 (Manufacturing)	Track 2 (Distribution, Retail and Pawn)	Track 3 (Specialty Tracks)
Monday, May 8, 2017				
2:00-4:00	Track A	<u>The Coming Storm and the Firearms Accountability Counsel Taskforce</u> A discussion about the impact of large law firms and the Gun Control lobby on regulation and gun ownership Senator Luther Strange, Member of the United States Senate Larry Keane, SVP Government & Public Affairs, Assistant Secretary & General Counsel, NSSF Daniel Wilson, Office Managing Partner, Maynard Cooper Jon Sprole, Of Counsel, Maynard Cooper John Neiman, Shareholder & Appellate Group Chair, Maynard Cooper Jon Rydberg, CEO, Orchid Advisors (Facilitator)		
2:00-4:30	Track B	<u>NFA, From A to Z</u> <u>Everything That You Need to Know About NFA Compliance</u> (b) (6) Division Chief, National Firearms Act Division, ATF Phil Milks, Orchid Advisors and former head of Compliance AAC / Remington Outdoors Company Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors and ASA Board Member		
5:00-6:00	Opening Night Cocktail Reception			
Tuesday, May 9, 2017				
7:00-7:50	Breakfast and Exhibitor time			
8:00 - 8:30am	Session 1	<u>Firearms Industry Compliance Conference Kickoff</u> <u>An Introduction to the FICC</u> Jon Rydberg, CEO, Orchid Advisors Larry Keane, SVP Government & Public Affairs, Assistant Secretary & General Counsel, NSSF		
8:30 - 9:15am	Session 2	<u>The Impact of a New Administration on the Firearm Supply Chain</u> Jim Dräger, Executive Director and Principal, Strategy & Operations Practice, Orchid Advisors Ryan Nokes, Director, Marketplace Insight Jon Rydberg, CEO, Orchid Advisors		
9:15 - 10:15	Session 3	<u>ATF Keynote Address</u> <u>Updates from ATF Headquarters in Washington, D.C.</u> Marvin Richardson, Assistant Director, ATF Curtis Gilbert, Deputy Assistant Director, ATF Andy Graham, Deputy Assistant Director, ATF		
10:15-11:15	(Private Sessions)	<u>One on One Meetings with ATF</u> (Private Sessions by Appointment)		
10:15 - 10:30	Break and Exhibitor time			
10:30-11:15	Session 4	<u>ATF Inspections</u> An in-depth review of the ATF inspection process delivered by ATF's top inspection executive and an expert in the country's largest FFL Serial Number Inventories (Tools, Expectations, Best Practices, Correcting Findings) Andy Graham, Deputy Assistant Director, ATF Jon Rydberg, CEO, Orchid Advisors	<u>Firearms Retail Compliance</u> Designing your process, technology and compliance program to optimize firearms industry compliance (Ordering, Receiving, Stocking, SN Inv Checking, Theft / Loss Reporting, Transfers at the Point of Sale) Dan Rice, Director of US Ethics & Compliance, ATF and Lottery, Walmart Karri Allen, Counsel, Safariland Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors (Facilitator)	<u>Global Manufacturing and Sales in a Post-ITAR Era</u> How to keep your global processes and systems compliant (Regulations, Best Practices, Self Audit Tools) Michael Andersen, Senior Compliance Manager, Brownells Kevin Miller, Senior Trade & Security Consultant, Miller & Chevalier Jeff Grody, Executive Director & Principal, Export Services Practice, Orchid Advisors Jordan Young, Export Services Manager, Orchid Advisors
11:15 - 12:00	Session 5		<u>A&D Analytics for Compliance</u> How to master A&D book data and using its results to shape receiving, shipping, and master data functions Michelle Ingram, Executive Director, Data Analytics Practice, Orchid Advisors Alexis Tunel, Operations Executive, Orchid Advisors	

		Track 1 (Manufacturing)	Track 2 (Distribution, Retail and Pawn)	Track 3 (Specialty Tracks)
Tuesday, May 9, 2017				
12:00-12:55		Lunch Break		
1:00-2:45	Session 6	<u>Agency - ATF Breakout Sessions</u> Provided by ATF, DDTC and FBI NICS Personnel Room 1: ATF NFA Room 2: ATF Import & Technology Room 3: ATF Regulations & FBI NICS Room 4: ATF Inspections Room 5: DDTC		
2:45-3:00		Coffee, Networking, Exhibitor Break		
3:00 - 4:30	Session 7	<u>Part 1 - GCA & NFA Manufacturing Compliance</u> Designing your process, technology and compliance program to optimize firearms industry compliance (A&D Book Design, Engineering/R&D, Master Data Creation, Imports (Form 6/6a) and Markings) Matthew Trask, Director of Corporate Compliance, Remington Ron Ketterling, Founder & Owner, Easy Bound Book Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors (Facilitator)	<u>Best Practices in Retail Security & Retail Point of Sale (POS) for Compliance</u> (Security, Self-Assessments, e4473, eNICS, and eA&D) (b) (6) Division Chief, Special Operations Division, ATF Bill Napier, Store Security Consultant, NSSF Sam Kirkland, Strategy Manager, Epicor Software Alexis Tunell, Operations Executive, Orchid Advisors	<u>Suppressor Regulation - Past, Present and Future</u> History of Suppressor Regulation, the Hearing Protection Act and the Future of Suppressors Stephen P. Halbrook, Attorney at Law Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors and ASA Board Member
5:00-7:00		Cocktail Reception		

Wednesday, May 10, 2017				
7:00-7:50		Breakfast and Exhibitor Time		
8:00-8:15	Session 8	<u>Day 2 FICC Introduction</u> Jon Rydberg, CEO of Orchid Advisors		
8:15-9:00	Session 9	<u>Industry Government Relations Update</u> Larry Keane, SVP Government & Public Affairs, Assistant Secretary & General Counsel, NSSF		
9:15-10:00	Sessions 10	<u>Part 2 - GCA & NFA Manufacturing Compliance</u> Designing your process, technology and compliance program to optimize firearms industry compliance (Receiving, Production (Form 2), Scrapping, SN Inventory, Shipping (FFL / SOT and Form 3, 5, 9)) Matthew Trask, Director of Corporate Compliance, Remington Dan Spencer, General Counsel, CZ-USA Jon Rydberg, CEO, Orchid Advisors (Facilitator)	<u>Future of NICS and the Impact on Retail</u> Current NICS Process, Future Technology, Enhancing NICS POS / Transfer Compliance Jill Montgomery, Supervisory NICS Liaison Specialist FBI NICS Travis Glover, Executive Director, Retail, Distribution, & Pawn Practice, Orchid Advisors (Facilitator)	<u>State Regulations</u> Understanding Federal vs State Agencies and 2015-2017 State Regulatory Updates Phillip Nelsen, Attorney, Author of 50 State Guide to Firearm Laws and Founder of Legal Heat Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors (Facilitator)
10:00-10:30		Break and Exhibitor Time		
10:30 - 11:15	Session 11	<u>Building a Compliance Function Amidst Rapid Growth</u> Policy and Cultural Development, Balancing Operations and Compliance, Top 10 Techniques for Compliance Cole Roberts, Compliance Manager, Hudson Manufacturing Camden Webb, Partner, Williams Mullen Charles "Chuck" James, Partner, Williams Mullen Jon Rydberg, CEO, Orchid Advisors (Facilitator)	<u>Maintaining ATF Licenses and Regulated Records</u> Which records and how long (ATF OOB, Paper vs Electronic, Retention Software) J. Clayton Cheshire, Principal at Munitions Law Group Cheshire DeBrosse, P.C. Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors (Facilitator)	<u>Export Compliance Best Practices</u> DDTC and Industry Perspectives (Regulations, Best Practices) Candace Goforth, Managing Director, Goforth Trade Advisors, LLC Raymond Ruthen, Sr. Manager, International Trade Compliance, Pratt & Whitney Jeff Grody, Executive Director & Principal, Export Services Practice, Orchid Advisors
11:15 - 12:00	Session 12	<u>Firearm Component Compliance</u> ATF Compliance When Buying and Receiving Regulated Components (Sourcing Suppliers, FFL / SOT Checking, Applying for Variances, Managing Firearms at Suppliers, Markings) David Power, Vice President, Oneida Molded Plastics Phil Milks, Executive Director, Manufacturing Practice, Orchid Advisors	<u>FFL Liability Concerns</u> Operating your business from a dealer, retailer and manufacturer standpoint on minimizing liability Ryan L. Erdreich, Esq.; Pisciotto Malsch, P.C. Scott L. Braum, Esq.; Scott L. Braum & Associates, Ltd. Alexis Tunell, Operations Executive, Orchid Advisors (Facilitator)	

To: Graham, Andy R. (b) (6)
Cc: (b) (6) Turk, Ronald B. [Ronald.Turk@atf.gov]; Richardson, Marvin G. (b) (6)
From: Larry Keane
Sent: Thur 4/27/2017 11:29:36 PM
Subject: UPS Policy Change - Scanning Packages at Pick Up is Optional

Andy

I hope you are well. I wanted to flag something for you. We have learned from a number of our dealer members that apparently as a cost cutting measure UPS has changed its internal policies. It is now optional for a driver to scan packages when they pick them up. They - and NSSF - are concerned that this could increase the likelihood of packages containing firearms could go missing while in transit. We have been told by our dealers that they can request that the driver scan the packages at pickup but there appears to be some sort of internal UPS process they would need to follow. We will be reaching out to UPS directly to discuss the issue, make sure we fully understand it and share our concerns about lost or stolen firearms. While we engage with UPS directly I wanted to be sure to put the issue on your radar in case ATF has a view on the matter. If you would like I can keep you posted on our dialogue with UPS.

Lawrence Keane
Senior Vice President, Assistant Secretary
& General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)
(b) (6)

www.nssf.org
Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Mark Barnes (b) (6)
From: Turk, Ronald B.
Sent: Thur 4/27/2017 2:23:50 AM
Subject: Re: Brace for Impact...ATF Clarifies Its Illogical Position on Users Shouldering Brace Equipped Pistols.

10-4 Mark. I'm out a few days on military leave. Hope you are well.

Ron

On Apr 25, 2017, at 8:31 AM, Mark Barnes <(b) (6)> wrote:

“When in doubt tell the truth. It will confound your enemies and astound your friends.”

Mark Twain

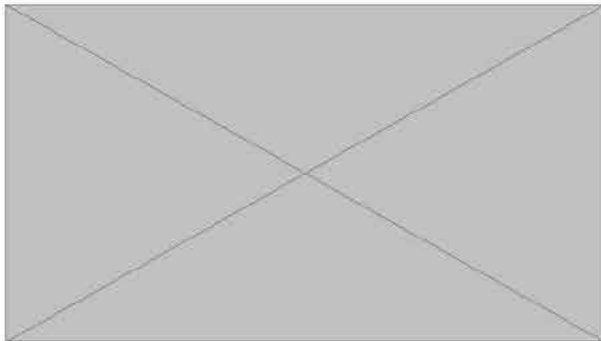
The press release has been made and ATF is getting a lot of good press and reaction even from the more intransigent parts of the gun community.

Regards,

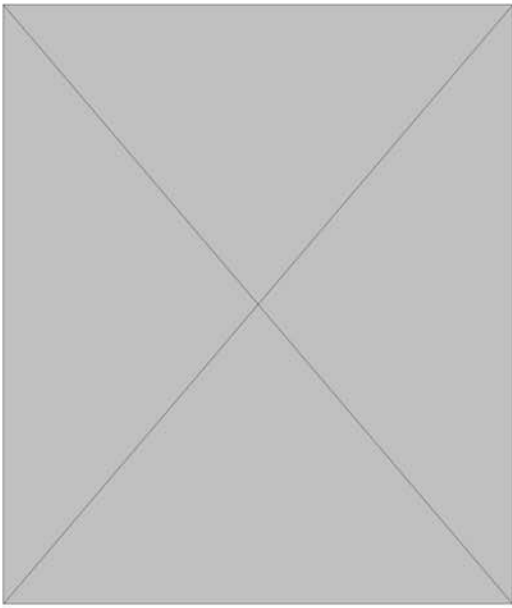
Mark

[Brace for Impact...ATF Clarifies Its Illogical Position on Users Shouldering Brace Equipped Pistols.](#)

// [Prince Law Offices - Home](#)

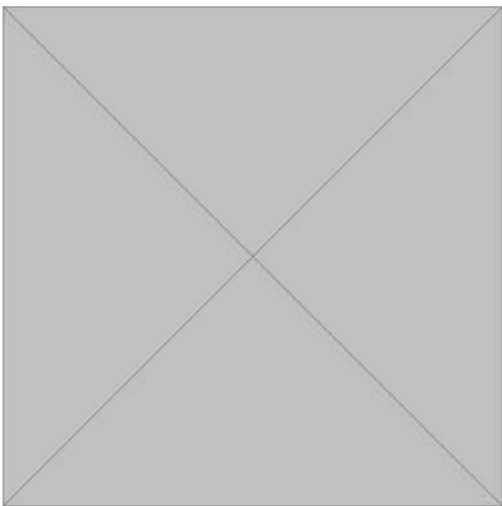


Readers may remember the [blog article I wrote](#) when ATF dropped a bombshell at SHOT Show 2015 where it released an [open letter](#) which stated that the brace was neither designed nor approved to be used as a shoulder stock and that the **use** of the brace as a shoulder stock constitutes a **redesign** of the device because a possessor has changed the very function of the item. The letter concluded that “[a]ny individual letters stating otherwise are contrary to the plain language of the NFA, misapply Federal Law, and are hereby revoked,” which sent part of the firearms community into a panic, with the remaining portion laughing at such a ridiculous interpretation of the term “redesign”. (I was in the group laughing).



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The letter begins by describing the definition of a firearm under the National Firearms Act or NFA, the definition of a rifle or shotgun and that ATF has long held that a pistol with a barrel length of less than 16 inches and an attached shoulder stock is an NFA firearm pursuant to the plain language of the statute. ATF further states that “because the stabilizing brace was not designed as a shoulder stock, ‘use’ of the device as a shoulder stock would constitute a ‘redesign’ of the firearm to which it was attached, resulting in the classification of the firearm as a short-barrel rifle.



While I don’t have SB Tactical’s letter to ATF, it appears that they made some arguments that ATF’s definition of “use” was indefensible based on some arguments that appear eerily similar to ones I had advanced on this blog, such as misusing a common household item like a screwdriver as a pry bar. ATF

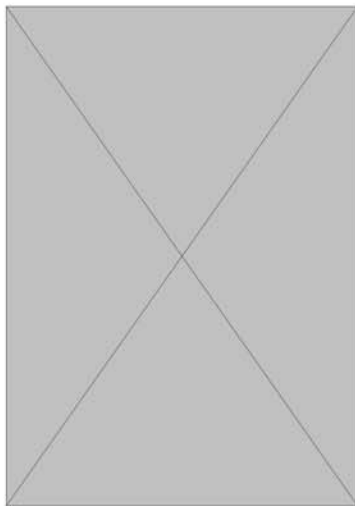
responds that the result of accepting such an argument is that a device which was designed, marketed and intended for use only to shoot from the arm, could be attached to a firearm and shouldered without falling into the purview of the NFA. An argument that ATF was quick to expressly reject.

However, ATF continues on “[a]n accessory that can be attached to a firearm in any one of several configurations must be evaluated to determine whether attaching it in each of those configurations constitutes ‘making’ an NFA firearm...” ATF has previously concluded that attaching a handgun to a forearm brace does not “make” a short-barreled rifle because in the configuration that was approved by the Firearms and Ammunition Technology Division (“FATD”) it “is not intended to be and cannot comfortably be fired from the shoulder.”

Here is the part I really like (because ATF seems to adopt something I’ve been saying all along).

If, however, the shooter/possessor takes *affirmative steps* to configure the device for use as a shoulder-stock — for example, configuring the brace so as to permanently affix it to the end of a buffer tube...removing the arm-strap, or otherwise undermining its ability to be used as a brace — and then in fact shoots the firearm from the shoulder...that person has...”redesigned” the firearm for purposes of the NFA.

(emphasis added). It would now seem that ATF has changed the definition of “redesign” it is utilizing to the actual layman’s term which means that you actually did something to change the design, rather than just simply misuse.



The letter continues to explain

[t]o the extent the January 2015 *Open Letter* implied or has been construed to hold that incidental, sporadic, or situational “use” of an arm-brace (in its original approved configuration) equipped firearm from a firing position at or near the shoulder was sufficient to constitute a “redesign”, *such interpretations are*

incorrect and not consistent with ATF's interpretation of the statute or the manner in which it has been historically enforced.

In short, it seems that ATF has re-examined the perverted logic it used in the January 2015 *Open Letter* to come to a more rationale determination about the use of a product.

However, there is a note of caution with this happy tale. It is still possible to construct a short barreled rifle from a brace equipped pistol. The letter explains "...an item that functions as a stock if attached to a handgun in a manner that serves the objective purpose of allowing a firearm to be fired from the shoulder may result in 'making' a short-barreled rifle, even if the attachment is not permanent."

As you may remember, I've contended that if you purchased a brace with the intent to build a gun that would be fired from the shoulder, if the barrel length is less than 16 inches or the overall length is less than 26 inches, you've just created a short barreled rifle. Why is that?

The NFA defines the term firearm to mean among other things "... (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length;..."

The term rifle is defined as "a weapon designed or redesigned, made or remade, and *intended to be fired from the shoulder* and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge."

Key point being that it is intended to be fired from the shoulder. As such, you would have a firearm (Short Barrel Rifle) under the NFA which would be subject to its controls.

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Mark Barnes
Attorney at Law
1350 Eye St. N.W. , Suite 260
Washington, D.C. 20005
Tel. (b) (6)
Fax (202) 626-0088
Pager: (b) (6)

This e-mail is confidential and is legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. To do so could violate state and Federal privacy laws. Thank you for your cooperation. Please contact Mark Barnes & Associates at (b) (6) if you need assistance.

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 4/25/2017 10:35:15 PM
Subject: Re: Poll: 67 percent of gun owners say NRA 'overtaken by lobbyists' - POLITICO

10-4

On Apr 25, 2017, at 6:11 PM, Shaefer, Christopher C. <(b) (6)> wrote:

Sirs.... and Megan - an interesting read:

<http://www.politico.com/story/2017/04/25/poll-gun-owners-nra-237564>

Regards,

Christopher Shaefer | ATF Assistant Director
Public and Governmental Affairs | O: [202.648.](tel:202.648.) (b) (6) C: (b) (6)

To: Turk, Ronald B. (b) (6) Gleysteen, Michael (b) (6)
Cc: Bennett, Megan A. (b) (6)
From: Shaefer, Christopher C.
Sent: Tue 4/25/2017 10:11:46 PM
Subject: Fwd: Poll: 67 percent of gun owners say NRA 'overtaken by lobbyists' - POLITICO

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Public and Governmental Affairs | O: [202.648.](tel:202.648.) (b) (6) C: (b) (6)

To: (b) (6)
From: Turk, Ronald B.
Sent: Tue 4/25/2017 8:29:09 PM
Subject: Re: God Bless you General

Thanks (b) (6) Been an "interesting" month or so.....Hope you are well.

Ron

> On Apr 25, 2017, at 4:06 PM, (b) (6) wrote:
>
>
>
> Subject: Ron Turk Article
>
> This article is in this month's "The American Rifleman", NRA's magazine. I wish you well.
> <RonTurkArticle.pdf>

To: Turk, Ronald B. (b) (6)
From: (b) (6)
Sent: Tue 4/25/2017 8:04:12 PM
Subject: God Bless you General
[RonTurkArticle.pdf](#)

Subject: Ron Turk Article

This article is in this month's "The American Rifleman", NRA's magazine.
I wish you well.

president's column

By Allan D. Cors, President

Turk's 'White Paper' Signals Fundamental Change in Policy

In a remarkable re-appraisal of long-standing firearm regulatory rules and practices, the ATF's chief operating officer has penned an internal "white paper," recommending what would amount to a fundamental change in direction if translated into actual policy.

Titled, "Options to Reduce or Modify Firearms Regulations," the document, labeled "not for public distribution" was penned by Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Associate Deputy Director Ronald Turk. The fact that it exists at all might well represent a radical reversal of a long-standing institutional gun-ban political bias.

Among the sweeping changes Turk has proposed:

- Removing the "sporting purposes" test that bans the importation of whole classes of semi-automatic rifles.
- Removing suppressors (silencers) from the stringent permanent registration requirements of the National Firearms Act, which call for fingerprints, photographs, a full FBI background check—a process that can take up to eight months to complete.
- Reviewing definitions of "armor piercing" ammunition.

Turk's refreshingly honest take on the agency's direction might represent a welcome attitude adjustment that fits

with President Donald J. Trump's and Attorney General Jeff Sessions' pledge to concentrate federal law enforcement resources on aggressively prosecuting dangerous violent criminals. (See this issue's Standing Guard column.)

There is no better example of what might be a seismic shift away from ATF's political bias than to compare Turk's proposal on the "sporting purpose" language.

A bit of history is in order. In 1989, in a pointless knee-jerk "war on drugs" action, President George H.W. Bush's administration moved to ban importation of whole categories of firearms wrongly labeled as "assault weapons," using the "sporting purposes" criteria spelled out in the onerous 1968 Gun Control Act.

That ban was followed by massive expansion of prohibited firearms by the Clinton administration—an action characterized by a Clinton White House staffer as "taking the law and bending it as far as we can to capture a whole new class of guns."

In rationalizing Clinton's import ban, the U.S. Treasury Department (then the ATF's host department) published a 1998 "study" on the "Sporting Suitability of Semi-automatic Assault Rifles," which were characterized as "large-capacity military magazine rifles," or "LCMM rifles."

Given the fact that rifles like the AR-15 were beginning to dominate NRA rifle competitions and were central to a host of new shooting games, the study was based on a big lie and was peppered with grossly biased conclusions:

"[T]he information we collected on the use and suitability of LCMM rifles for hunting and organized competitive target shooting demonstrated that the rifles are not especially suitable for sporting purposes. ...

"Similarly, although the LCMM rifles usually ... sometimes are used for organized competitive target shooting, their suitability for this activity is limited."



But the worst untruth pertained to the false notion of rampant criminal use of semi-automatic rifles.

"Furthermore, the information we gathered demonstrated that the LCMM rifles are attractive to certain criminals. We identified specific examples of the LCMM rifles' [sic] being used in violent crime and gun trafficking. ... Their ability to accept large-capacity military magazines likely plays a role in their appeal to these criminals."

The thoroughly phony "study" concluded: "After weighing all the information collected, we found that the LCMM rifles are not generally recognized as particularly suitable for or readily adaptable to sporting purposes and are therefore not importable."

Juxtapose that with Turk's refreshingly honest words in calling for a new study on "sporting purpose."

In Turk's lexicon, semi-automatic rifles are no longer "assault weapons" or "large-capacity military magazine rifles." They are simply what the tens of millions of peaceable owners call them—modern sporting rifles.

Turk begins, "Since the sunset of the Assault Weapons ban in 2004, the use of AR-15s, AK-style, and similar rifles now commonly referred to as 'modern sporting rifles' has increased exponentially in sport shooting. These firearm types are now standard for hunting activities. ATF could re-examine its almost 20-year-old study to bring it up to date with the sport shooting landscape of today, which is vastly different than what it was years ago."

With this, Turk calls for the lifting of the import ban saying, "Restriction on imports serves questionable public safety interests, as these rifles are already generally legally available for manufacture and ownership in the United States."

Let us hope this is the new face of ATF.

Allan Cors

NRA OFFICERS

Allan D. Cors, PRESIDENT

Pete R. Brownell, FIRST VICE PRESIDENT

Richard Childress, SECOND VICE PRESIDENT

Wayne LaPierre, EXECUTIVE VICE PRESIDENT

John Frazer, SECRETARY

Wilson H. Phillips Jr., TREASURER

Josh Powell, EXECUTIVE DIRECTOR,
GENERAL OPERATIONS

Christopher W. Cox, EXECUTIVE DIRECTOR,
INSTITUTE FOR LEGISLATIVE ACTION

For news about your NRA, visit: nra.org and nratv.com • For related articles, go to nrapublications.org

To: Turk, Ronald B. (b) (6) Richardson, Marvin G (b) (6) Gilbert,
Curtis W (b) (6) Griffith, Earl L. (b) (6)
(b) (6)
From: Mark Barnes
Sent: Tue 4/25/2017 1:31:06 PM
Subject: Fwd: Brace for Impact...ATF Clarifies Its Illogical Position on Users Shouldering Brace Equipped Pistols.

“When in doubt tell the truth. It will confound your enemies and astound your friends.”

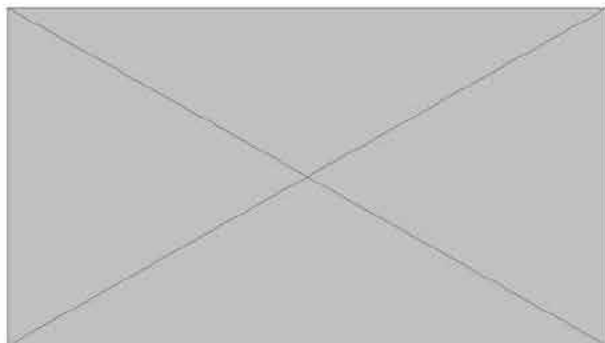
Mark Twain

The press release has been made and ATF is getting a lot of good press and reaction even from the more intransigent parts of the gun community.

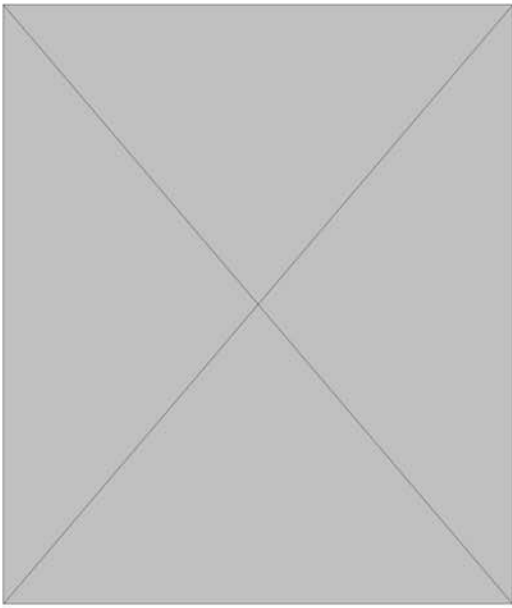
Regards,

Mark

[Brace for Impact...ATF Clarifies Its Illogical Position on Users Shouldering Brace Equipped Pistols.](#)
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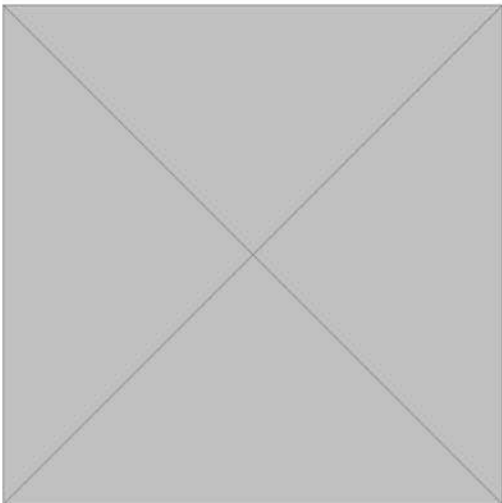


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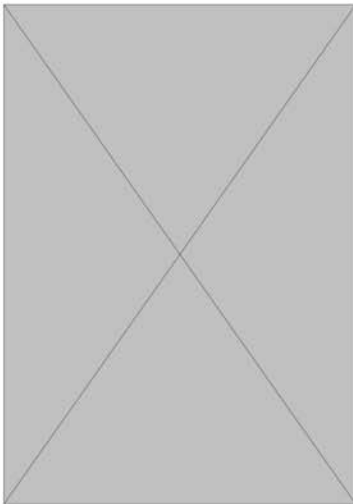
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Mark Barnes
Attorney at Law
1350 Eye St. N.W. , Suite 260
Washington, D.C. 20005
Tel. (b) (6)
Fax (202) 626-0088
Pager: (b) (6)

This e-mail is confidential and is legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. To do so could violate state and Federal privacy laws. Thank you for your cooperation. Please contact Mark Barnes & Associates at (b) (6) if you need assistance.

To: (b) (6)
Cc: Turk, Ronald B (b) (6)
From: Bennett, Megan A.
Sent: Mon 4/24/2017 4:01:23 PM
Subject: Turk's Response
[Hogr 4.10.17 request final response Turk 4.24.17.docx](#)

Hello,

Attached is the response to the Turk letter from HOG. Please go ahead and put this on the appropriate letterhead and format it.

Please let me know when this is done.

Thanks!

Megan A. Bennett
Deputy Assistant Director
Office of Public and Governmental Affairs
Bureau of Alcohol, Tobacco, Firearms and Explosives
Direct: 202.648 (b) (6) Cell: (b) (6)



This is in response to the Committee's April 10, 2017, letter, which followed up on its March 9, 2017, hearing concerning a Department of Justice, Office of Inspector General report entitled "A Review of Investigations of the Osorio and Barba Firearms Trafficking Rings." The letter asks for information concerning my involvement or participation in a variety of ATF matters, and documents and communications associated with my responses.

Between receipt of the invitation to testify March 2, 2017, and the March 9, 2017, hearing, several conversations took place with myself, ATF staff, and members of the Department of Justice regarding the hearing.

With respect to my lack of attendance at the March 9, 2017, hearing, I testified on April 4, 2017, that only the ATF Acting Director attended based on guidance and communications conveyed to me. Attached is a letter from the Department of Justice's Office of Legislative Affairs (OLA), further explaining its role and my reasons. As I testified on April 4, 2017, I respect the Committee and the important work it does. I meant no disrespect to the Committee and believed I was not attending the hearing acting in good faith that the situation had been properly coordinated. Had I known on March 9, 2017, what I know now, I would have taken steps to further clarify guidance or agreements with OLA and this Committee, or attended the hearing with my boss and answered questions to the best of my ability.

.

During my testimony on April 4, 2017, I was also asked about a White Paper I drafted concerning both regulatory and non-regulatory issues having to do with ATF's jurisdiction over firearms and explosives under the Gun Control Act and National Firearms Act. I wrote the paper with two primary goals in mind: 1) to compile a list of pending firearms and explosives regulatory matters that had been under discussion, or were pending decisions by ATF over the past several years; and 2) in anticipation that some or all of these issues would likely be raised with or by the incoming Administration. As I indicated in the paper itself, it was intended to generate internal conversations, and was specifically not intended as policy or guidance of any kind. The paper was not motivated by or influenced by the domestic politics that are regularly associated with guns in the United States. No one asked me to write the paper.

While the opinions expressed within the White Paper were mine, the discussion points came from a variety of sources, me included. Many different organizations connected to the firearms, explosives and defense industry communities have communicated with ATF over the past several years about the issues identified in the White Paper, and other issues, but ATF was not always in a position to respond. I anticipated that ATF would be asked about many of these issues again in 2017, and I wanted the agency to be ready to provide meaningful, thought-out input to new leadership at the Department of Justice and the new Administration. I further believed it was reasonable and necessary to provide the industry with answers (one way or the other) concerning several of the pending regulatory issues that had lingered for years.

Not all discussion points in the paper focus on regulatory reform or reduction. Several address areas where I felt a starting point should focus on the positive benefits of the *status quo*, without change, reduction or modification.

In the latter part of 2016, I anticipated that ATF would be meeting with several organizations at an annual firearms industry trade show scheduled for January 2017. As a result, in January, I asked several key members from the gun and explosives industries for feedback on my White Paper, which was still in draft form at the time. The issues identified in my paper arose from concerns raised by firearms and explosives industry representatives with ATF in the past. I felt a confidential review of my paper, and discussions with firearms and explosives industry experts outside of ATF would be useful.

I estimate that I spent something less than 8 hours on the paper, all of which was official time. Part of my ATF position requires communication with DOJ and key stakeholders regarding firearms and explosives regulatory matters, and preparing the agency for those conversations is vital. Although the views expressed in the paper are mine, developing such issues for discussion is an integral function for ATF leadership. As I noted, however, the issues I identified were for discussion only. I was, and remain, open minded on all of the issues identified in the White Paper.

The White Paper was never intended to be made public. I felt that by consolidating some of the most significant issues pending before ATF into a single document we could discuss them among the executive staff and with key stakeholders. I was not aware of any consolidated document prepared within ATF that identified the majority of the significant firearms and explosives regulations and/or policies being discussed across those industries with ATF, and wanted to create a single source document primarily based on key issues I had been made aware of for further discussion. ATF would then be well prepared to brief new leadership and consider decisions, while we continued to keep our main focus on the fight against violent gun crime.

Shortly after I signed the paper I forwarded copies to ATF's Acting Director, Chief of Staff, Assistant Directors and a few key executives within ATF. I also authorized several ATF executives to share the paper with key members of their staff for future input. Sometime during the week or so after that, I provided copies to two staff members at the Department of Justice during an ATF monthly status/update meeting with the Department. During that same timeframe I also provided copies to the National Shooting Sports Foundation, Mark Barnes & Associates, and the National Rifle Association's Institute for Legislative Action. I had several conversations over the past year(s) with the NSSF, Mr. Barnes and others regarding matters discussed in my White Paper. At no time have I had any input from, or discussions with the NRA specifically regarding my white paper.

I had also intended to share copies of the paper with other firearms and explosives related organizations in the future. However, the paper was leaked to the Washington Post and made public via multiple internet sources. At the time I signed the paper I also intended to invite representatives from various firearms industry groups and gun safety groups to ATF to discuss many issues relative to ATF and those organizations, which would include the matters discussed in my paper. ATF, and I personally, highly value input from relevant organizations across the broad spectrum of firearms and explosives issues, including those representing all sides of the issues. Open communication between the agency and all such organizations is vital. My role at ATF requires the ability to discuss firearms issues – regulatory

and otherwise – candidly with leadership within those organizations, to ensure that ATF has as much information as possible before considering options or making decisions. We also value highly the partnerships and relationships we have across the broad law enforcement community, and the organizations that represent them, and carefully consider their input on many firearms and explosives matters as well. Of course, we also seek public input on certain regulatory matters, as required by law. But input does not determine decision making. I have worked in law enforcement for over 27 ½ years, and served in the U.S. military for over 32 years, proudly working hard to help protect the public. I have not, and will not support any regulatory or de-regulation efforts that puts public safety at risk.

Concerning the Special Agent (b) (6) house fire, on April 14, 2017, I requested a copy of the ATF Office of Professional Responsibility report mentioned in your April 10, 2017, letter. After reviewing it, I recognized only a few of the general details within the report from broad conversations many years ago within ATF Headquarters. I also recognized it as the report the Committee Chairman was referencing when I testified on April 4, 2017. The report indicates on its cover that, in October 2012, a copy was forwarded to the Office of the Assistant Director for Field Operations. Although I was the Assistant Director, Field Operations, at that time, I have no recollection of having seen or having read the report until April 14, 2017. I am also informed that, despite notations on the cover, it is not certain that a copy was actually forwarded to the Field Operations Directorate because of the matter's sensitive nature. In any event, I have no recollection of having contemporaneously reviewed the report or any other documents specifically related to this matter.

When I reported as the Assistant Director of Field Operations in March, 2012, I was told by the former ATF Director to focus on the future and take immediate corrective actions to ATF policies and procedures in the aftermath of the Fast and Furious investigation. I was specifically told by the former Director that I should stay out of any past personnel matters which included the Fast and Furious investigation(s), and the (b) (6) and that I should leave any related personnel or potential disciplinary matters to the front office (Offices of the Director and Deputy Director) as part of formal disciplinary processes not under my control or influence. I do not remember being aware of the specifics regarding the (b) (6) at that time, and I took no direct actions to get involved or get briefed that I recall. This was because of the directions given to me by my former Director, and my lack of involvement in the processes then ongoing or to come. As of March 2012, I did not know Special Agent (SA) (b) (6) other than by his reputation as a hard-working agent.

As noted, I had no role in the disciplinary processes that followed issuance of the October 2012, report concerning the investigation into the (b) (6). As we conveyed to this Committee in correspondence dated June 11, 2015, ATF's disciplinary process for most misconduct issues involves consideration by a Professional Review Board (PRB). The PRB has multiple options including issuing clearances or making recommendation(s) for discipline. If discipline is proposed, the matter is then forwarded to a Bureau Deciding Official (BDO) for a decision. ATF has a designated BDO who serves for an indefinite term. However, if a Senior Executive Service member is the subject of a PRB proposal, the Deputy Director serves as the BDO, and would typically do so for the entire case to ensure consistency. Thus the Deputy Director would have been (and was) the BDO for the entire matter associated with the (b) (6) for all individuals involved (SES and GS

employees). As the Assistant Director of Field Operations I had no role in the process and took no action.

The (b) (6) issued to SA (b) (6) was not subject to the PRB/BDO process described above and in our June 11, 2015, letter. Instead, it was handled as a "management referral," which is an equally valid method of imposing discipline within ATF and, I believe, most federal agencies.

In early May 2012, I received a copy of a communication SA (b) (6) sent to several ATF executives and others. SA (b) (6) communication involved confidential personnel matters. Not long after receiving this communication, I was called to a meeting with the former ATF Director. The former Director expressed significant concerns about the propriety of the communication. I agreed with those concerns. I was then directed by the former Director to take appropriate discipline, and to handle the matter personally as, in effect, a management referral. On (b) (6) (b) (6) I further indicated in writing to him that the Deputy Director would be the deciding official. On May 11, 2012, I received a referral from ATF's Office of Professional Responsibility documenting the matter and forwarding it to me for action. Because I had already acted based on the information provided to me before the OPR report was formally signed, my only obligation was to report this fact back to OPRSO, which I did. Sometime later I was informed that the Deputy Director had decided (b) (6) and I took no further action. ATF's Office of Chief Counsel provided support and counsel to me regarding the proposal. Prior to the May 10, 2012, proposal I had no direct involvement in any matter regarding SA (b) (6) that I recall; nor have I had any direct involvement in any matter regarding him since.

I was later the subject of a complaint regarding my participation in this matter of proposed discipline. As I recall it was looked at several years ago by the Office of Equal Employment Opportunity; ATF's Office of Professional Responsibility; the Office of Special Counsel; the Justice Department's Office of Inspector General; and this Congressional Committee. None of these institutions found any wrongdoing on my part.

My involvement in these two matters (b) (6) was different because they went through different, but equally valid and commonly used disciplinary processes within ATF. I had no involvement in the disciplinary process associated with the investigation into the (b) (6) (b) (6) because it was referred to and handled under the PRB/BDO process. On the other hand, I was directed to take appropriate discipline concerning the May 2012 communication as a management referral, which I did. I was both told to, and required to, stay out of the former; I was directed to take action in the latter.

The Committee's April 10, 2017, letter seeks both documents and communications relevant to each of the specific matters inquired about in the letter. ATF is in the process of compiling and reviewing responsive documents. Documents will be provided when that process is complete, and I do not anticipate a lengthy delay.

I have been assisted in preparing this response by ATF employees within the Office of Public and Governmental Affairs, the Office of Chief Counsel, and the Office of the Director; and by the Justice Department's Office of Legislative Affairs. ATF's Office of Science and Technology is assisting with identifying and compiling potentially responsive documents.

Very respectfully,

Ronald B. Turk

DRAFT

To: Bennett, Megan A. (b) (6)
Cc: Shaefer, Christopher C. (b) (6) Gross, Charles R. (b) (6)
From: Turk, Ronald B.
Sent: Mon 4/24/2017 3:34:54 PM
Subject: Final draft
[Hogr 4.10.17 request final response Turk 4.24.17.docx](#)

Megan, final draft for signature is attached. No changes since last round this am. Pls have the draft watermark removed and place it on the office letterhead/format needed.

Thanks,
Ron

Pages 4285 – 4322

Pulled for additional review

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Thur 4/20/2017 6:06:59 PM
Subject: RE: Report: Chaffetz Might Leave Congress Early

10-4

From: Larry Keane [mailto:(b) (6)]
Sent: Thursday, April 20, 2017 1:03 PM
To: Turk, Ronald B. <Ronald.Turk@atf.gov>
Subject: FW: Report: Chaffetz Might Leave Congress Early

FYI

From: Roll Call News Alerts [<mailto:news-alerts@cqrollcall.com>]
Sent: Thursday, April 20, 2017 1:03 PM
To: Larry Keane
Subject: Report: Chaffetz Might Leave Congress Early

News Alert

Report: Chaffetz Might Leave Congress Early

Jason Chaffetz, R-Utah, said Thursday that he could leave Congress before the end of his term in 2018, Utah radio station KSL reported.

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CQ Roll Call 1625 Eye St. NW, Suite 200 Washington DC 20006

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Thur 4/20/2017 5:03:07 PM
Subject: FW: Report: Chaffetz Might Leave Congress Early

FYI

From: Roll Call News Alerts [mailto:news-alerts@cqrollcall.com]
Sent: Thursday, April 20, 2017 1:03 PM
To: Larry Keane
Subject: Report: Chaffetz Might Leave Congress Early

News Alert

Report: Chaffetz Might Leave Congress Early

Jason Chaffetz, R-Utah, said Thursday that he could leave Congress before the end of his term in 2018, Utah radio station KSL reported.

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Pages 4333 – 4342

Pulled for additional review

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Thur 4/20/2017 3:01:30 AM
Subject: Fwd: News Alert - Chaffetz decision stuns Washington

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

----- Forwarded message -----

From: "The Hill" <alerts@news.thehill.com>
Date: Wed, Apr 19, 2017 at 6:13 PM -0400
Subject: News Alert - Chaffetz decision stuns Washington
To: "Larry Keane" (b) (6)

[View in your browser](#)

Chaffetz decision stuns Washington

Rep. Jason Chaffetz (R-Utah) shocked Washington on Wednesday by announcing he is leaving Congress after his term ends.

The chairman of the House Oversight Committee kept the surprise decision tightly under wraps, offering no hints that he planned to cut short his tenure leading the panel.

Speaker Paul Ryan wasn't told of Chaffetz's decision until Tuesday evening, according to an aide, and White House Chief of Staff Reince Preibus only got a heads-up from

the chairman on Wednesday morning.

Sources on Oversight also said they didn't see the news coming.

[Read the full story here](#)



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Pages 4345 – 4367

Pulled for additional review

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Wed 4/19/2017 5:39:23 PM
Subject: Re: Chaffetz won't seek re-election in 2018

10-4 Larry

On Apr 19, 2017, at 11:41 AM, Larry Keane <(b) (6)> wrote:

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org
Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

----- Forwarded message -----

From: "Roll Call News Alerts" <news-alerts@cqrollcall.com>
Date: Wed, Apr 19, 2017 at 11:16 AM -0400
Subject: Chaffetz won't seek re-election in 2018
To: "Larry Keane" <(b) (6)>

News Alert

Chaffetz won't seek re-election in 2018

Republican Rep. Jason Chaffetz announced on Wednesday that he will not seek any political office in 2018.

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Wed 4/19/2017 3:40:04 PM
Subject: Fwd: Chaffetz won't seek re-election in 2018

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)
www.nssf.org
Washington DC Office
400 No. Capitol St., NW
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Newtown, CT 06470

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----- Forwarded message -----

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Date: Wed, Apr 19, 2017 at 11:16 AM -0400
Subject: Chaffetz won't seek re-election in 2018
To: "Larry Keane" (b) (6)

News Alert

Chaffetz won't seek re-election in 2018

Republican Rep. Jason Chaffetz announced on Wednesday that he will not seek any political office in 2018.

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Pages 4372 – 4425

Pulled for additional review

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Mon 4/3/2017 8:23:10 PM
Subject: Re: Delta - checked firearm luggage

10-4

On Apr 3, 2017, at 4:19 PM, Richardson, Marvin G. (b) (6) wrote:

Ron,

FYI. Per my comment in staff re: Delta's new process of handling F/A's in checked luggage. Nothing for us. I will let Larry know that we don't have any concerns.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Gilbert, Curtis W.
Sent: Monday, April 3, 2017 3:26 PM
To: Richardson, Marvin G. (b) (6)
Subject: RE: Delta - checked firearm luggage

Delta is tagging baggage containing a firearm with the code CAGPT which stands for "Check and Give Protection to". This is a common code for Delta to use for any baggage that needs to have special handling and should not be delivered to the carousel. The baggage is taken to the baggage area office where the person picking up the baggage needs to sign for it and show ID.

Checked with Counsel (b) (6) and he sees no problem with it.

Thanks
Curtis

From: Richardson, Marvin G.
Sent: Monday, April 03, 2017 10:06 AM
To: (b) (6) Gilbert, Curtis W. (b) (6)
Subject: FW: Delta - checked firearm luggage

(b) (6) and Curtis,

Please see the below email from Larry. Let me know if you have any thoughts or concerns or if this is just good airline policy.

Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Larry Keane [mailto:(b) (6)]
Sent: Monday, April 3, 2017 9:14 AM
To: Turk, Ronald B. (b) (6) Richardson, Marvin G. (b) (6)
Subject: Delta - checked firearm luggage

See below. Not sure where this would fall within ATF. Have you guys seen the new "special tag"? Any concerns with whether it is compliant with the law that says a common carrier can't tag the bag so it says the contents contains a firearm?

Delta is keeping closer tabs on checked luggage that contains guns. The measures include special tags for bags carrying firearms; ID checks for passengers picking up weapon-containing luggage; and a police presence at baggage claim. The airline announced the policy two months after a military veteran disembarked a Delta flight to Ft. Lauderdale, grabbed his checked bag, retrieved his gun, and opened fire, killing five and wounding six. [NBC 6]

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)
(b) (6)

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Suite 490
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11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Mon 4/3/2017 8:19:52 PM
Subject: FW: Delta - checked firearm luggage

Ron,

FYI. Per my comment in staff re: Delta's new process of handling F/A's in checked luggage. Nothing for us. I will let Larry know that we don't have any concerns.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

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Assistant Director
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Office (202) 648-(b) (6)

Cell (b) (6)

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From: Larry Keane [mailto:(b) (6)]
Sent: Monday, April 3, 2017 9:14 AM
To: Turk, Ronald B. <(b) (6)> Richardson, Marvin G.
<(b) (6)>
Subject: Delta - checked firearm luggage

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Any concerns with whether it is complaint with the law that says a common carrier can't tag the bag so it says the contents contains a firearm?

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NSSF is the firearms industry's trade association.

Pages 4430 – 4475

Pulled for additional review

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Tue 3/28/2017 3:34:31 PM
Subject: Re: Shotgun classification

Thanks

> On Mar 28, 2017, at 11:05 AM, Richardson, Marvin G. (b) (6) wrote:
>
> Ron,
> The short answer is, If the overall length is more than 26" and if it was never made from a shotgun then it is not considered NFA.
>
> Let me know know if you need more details.
>
>
> Sent from my iPad
>
>> On Mar 28, 2017, at 10:35 AM, Turk, Ronald B. (b) (6) wrote:
>>
>> Marvin, can you remind me why a pistol grip shotgun like the Mossberg 590 with 14" barrel is not an NFA.
Thanks
>>
>> Ron

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Tue 3/28/2017 3:05:51 PM
Subject: Re: Shotgun classification

Ron,

The short answer is, If the overall length is more than 26" and if it was never made from a shotgun then it is not considered NFA.

Let me know know if you need more details.

Sent from my iPad

> On Mar 28, 2017, at 10:35 AM, Turk, Ronald B. (b) (6) wrote:

>

> Marvin, can you remind me why a pistol grip shotgun like the Mossberg 590 with 14" barrel is not an NFA.

Thanks

>

> Ron

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Tue 3/28/2017 2:35:10 PM
Subject: Shotgun classification

Marvin, can you remind me why a pistol grip shotgun like the Mossberg 590 with 14" barrel is not an NFA.
Thanks

Ron

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Fri 3/24/2017 12:54:56 PM
Subject: RE: Silencer Wipes

I will check with (b) (6) and get what we have. We've been solid on the parts issue for a number of years.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Turk, Ronald B.
Sent: Friday, March 24, 2017 8:29 AM
To: Richardson, Marvin G. (b) (6)
Subject: RE: Silencer Wipes

Marvin, do we have a current opinion I can see?

From: Richardson, Marvin G.
Sent: Thursday, March 23, 2017 12:14 PM
To: Turk, Ronald B. (b) (6)
Subject: RE: Silencer Wipes

10-4. I am attaching a couple of documents that I requested from Earl. The Word document is a chronology that synthesizes the issue back to 1998. The second attachment includes the letters themselves that have been written over the years. I am available tomorrow to discuss.

Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: Turk, Ronald B.
Sent: Thursday, March 23, 2017 10:57 AM
To: Richardson, Marvin G. (b) (6)
Subject: RE: Silencer Wipes

Thanks – if you are in tomorrow let's talk briefly so I can get smart on the issue.

From: Richardson, Marvin G.
Sent: Thursday, March 23, 2017 10:48 AM
To: Turk, Ronald B. <(b) (6)>
Subject: FW: Silencer Wipes

Ron,

FYI. We are engaged on this issue and will be meeting with representatives from both the company and ASA on 4/12. The issue goes back to a 1999 letter written by then NFA Branch Chief (b) (6). Let me know if you have any questions. I will keep you posted.

Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: (b) (6)
Sent: Tuesday, March 21, 2017 11:35 AM
To: Griffith, Earl L. (b) (6)
(b) (6)
Cc: Gilbert, Curtis W. <(b) (6)>
Subject: Silencer Wipes

Hi! I am getting calls about this. ASA is asking who they can talk to about this. Who can I refer them to?

Also, we are meeting with Dead Air Silencers on 4/12. Can we see a copy of this opinion?

<https://www.thetruthaboutguns.com/2017/03/foghorn/breaking-atf-re-classifies-silencer-wipes-baffles-may-make-old-designs-illegal/>

(b) (6)
Division Chief, Firearms and Explosives Industry Division
6.N-648
Direct: (202) 648-(b) (6)
Cell: (b) (6)

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Fri 3/24/2017 12:28:41 PM
Subject: RE: Silencer Wipes

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To: Turk, Ronald B. (b) (6)
Subject: RE: Silencer Wipes

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Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

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Thanks!

Marvin G. Richardson
Assistant Director

Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: (b) (6)
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To: Griffith, Earl L. <(b) (6)>
(b) (6)
Cc: Gilbert, Curtis W. <(b) (6)>
Subject: Silencer Wipes

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<https://www.thetruthaboutguns.com/2017/03/foghorn/breaking-atf-re-classifies-silencer-wipes-baffles-may-make-old-designs-illegal/>

(b) (6)
Division Chief, Firearms and Explosives Industry Division
6.N-648
Direct: (202) 648-(b) (6)
Cell: (b) (6)

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Thur 3/23/2017 4:46:39 PM
Subject: Re: Silencer Wipes

Thanks

> On Mar 23, 2017, at 12:14 PM, Richardson, Marvin G. <(b) (6)> wrote:

>

> 10-4. I am attaching a couple of documents that I requested from Earl. The Word document is a chronology that synthesizes the issue back to 1998. The second attachment includes the letters themselves that have been written over the years. I am available tomorrow to discuss.

>

> Thanks!

>

> Marvin G. Richardson

> Assistant Director

> Bureau of ATF, Enforcement Programs & Services

> Office (202) 648-(b) (6)

> Cell (b) (6)

> "Leaders don't do what they want to do, they do what is right".

>

> From: Turk, Ronald B.

> Sent: Thursday, March 23, 2017 10:57 AM

> To: Richardson, Marvin G. <(b) (6)>

> Subject: RE: Silencer Wipes

>

> Thanks – if you are in tomorrow let's talk briefly so I can get smart on the issue.

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> From: Richardson, Marvin G.

> Sent: Thursday, March 23, 2017 10:48 AM

> To: Turk, Ronald B. (b) (6)

> Subject: FW: Silencer Wipes

>

> Ron,

> FYI. We are engaged on this issue and will be meeting with representatives from both the company and ASA on 4/12. The issue goes back to a 1999 letter written by then NFA Branch Chief (b) (6) (retired). Let me know if you have any questions. I will keep you posted.

>

> Thanks!

>

> Marvin G. Richardson

> Assistant Director

> Bureau of ATF, Enforcement Programs & Services

> Office (202) 648-(b) (6)

> Cell (b) (6)

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>

>

> From: (b) (6)

> Sent: Tuesday, March 21, 2017 11:35 AM

> To: Griffith, Earl L. <(b) (6)>

(b) (6)

(b) (6)

(b) (6)

> Cc: Gilbert, Curtis W. <Curtis.Gilbert@atf.gov<mailto:Curtis.Gilbert@atf.gov>>; (b) (6)

(b) (6)

> Subject: Silencer Wipes

>

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> <https://www.thetruthaboutguns.com/2017/03/foghorn/breaking-atf-re-classifies-silencer-wipes-baffles-may-make-old-designs-illegal/>

>

> (b) (6)

> Division Chief, Firearms and Explosives Industry Division

> 6.N-648

> Direct: (202) 648-(b) (6)

> Cell: (b) (6)

>

> (b) (6) letter on silencer wipes ELG.docx>

> <Letters on wipes.pdf>

Pages 4485 – 4503

Pulled for additional review

To: Turk, Ronald B. (b) (6)
From: Gleysteen, Michael
Sent: Wed 3/15/2017 1:57:54 PM
Subject: RE: Industry and gun groups regulations roundtables

Copy.

From: Turk, Ronald B.
Sent: Wednesday, March 15, 2017 9:03 AM
To: Shaefer, Christopher C. (b) (6) Richardson, Marvin G.
(b) (6)
Cc: Allen, Joseph J. (b) (6) Brandon, Thomas E. (b) (6) Gleysteen, Michael (b) (6)
Subject: Industry and gun groups regulations roundtables

Chris, please have IGA schedule and lead, in coordination with EPS and Ops, two separate round-table meetings to discuss regulations and policies regarding firearms and public safety. This will be to gather input regarding ATF's way ahead, consistent with POTUS request for agencies to review regulations.

Let's discuss exactly who gets invited in advance; looking for two sets of groups from 1) key gun industry (NSSF; Orchid; Barnes; etc.) and 2) key firearms safety groups (Everytown for Gun Safety; Brady Campaign, etc.).

Shoot for May or June if possible and we can host here at HQ. I'll chair both. We can work on a draft agenda once dates are set.

Thanks,
Ron

To: Turk, Ronald B. (b) (6) Richardson, Marvin G. (b) (6)
Cc: Allen, Joseph J. (b) (6) Brandon, Thomas E. (b) (6) Gleysteen, Michael (b) (6)
From: Shaefer, Christopher C.
Sent: Wed 3/15/2017 1:27:02 PM
Subject: RE: Industry and gun groups regulations roundtables

10-4

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | C: (b) (6)



From: Turk, Ronald B.
Sent: Wednesday, March 15, 2017 9:03 AM
To: Shaefer, Christopher C. <(b) (6)> Richardson, Marvin G. (b) (6)
Cc: Allen, Joseph J. (b) (6); Brandon, Thomas E. (b) (6) Gleysteen, Michael (b) (6)
Subject: Industry and gun groups regulations roundtables

Chris, please have IGA schedule and lead, in coordination with EPS and Ops, two separate round-table meetings to discuss regulations and policies regarding firearms and public safety. This will be to gather input regarding ATF's way ahead, consistent with POTUS request for agencies to review regulations.

Let's discuss exactly who gets invited in advance; looking for two sets of groups from 1) key gun industry (NSSF; Orchid; Barnes; etc.) and 2) key firearms safety groups (Everytown for Gun Safety; Brady Campaign, etc.).

Shoot for May or June if possible and we can host here at HQ. I'll chair both. We can work on a draft agenda once dates are set.

Thanks,
Ron

To: Shaefer, Christopher C. (b) (6) Richardson, Marvin
G. (b) (6)
Cc: Allen, Joseph J. (b) (6) Brandon, Thomas E. (b) (6) Gleysteen,
Michael (b) (6)
From: Turk, Ronald B.
Sent: Wed 3/15/2017 1:03:06 PM
Subject: Industry and gun groups regulations roundtables

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Shoot for May or June if possible and we can host here at HQ. I'll chair both. We can work on a draft agenda once dates are set.

Thanks,
Ron

Pages 4507 – 4510

Pulled for additional review

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Sat 3/11/2017 4:55:17 PM
Subject: Re: (Confidential) Meeting on March 10

Great, thanks Marvin

On Mar 11, 2017, at 11:40 AM, Richardson, Marvin G. (b) (6) > wrote:

Ron,

This is just FYI for an overview of the discussion we had with Orchid on Friday. I will discuss with you more in depth at our next meeting. There are some great ideas and opportunities to make real progress in both enforcement and infrastructure.

Thanks.

Marvin G. Richardson
Assistant Director, ATF

Begin forwarded message:

From: (b) (6)
Date: March 10, 2017 at 7:50:46 AM EST
To: (b) (6)
"Gilbert, Curtis W." (b) (6)
"Beasley, Roger L." (b) (6) "Richardson, Marvin G." (b) (6)
Cc: (b) (6)
"Orlow, Barry S." (b) (6)
Subject: (Confidential) Meeting on March 10

Morning All,
FYI here is a brief outline of what Orchid Advisors want to discuss in today's meeting meeting
Thank you
(b) (6)

(b) (6)
Firearms Industry Technical Advisor
Bureau of Alcohol, Tobacco, Firearms & Explosives
99 New York Ave. N.E.
Room 6N-528
Washington, D.C. 20226

Tel: (202) 648-(b) (6)
Cell: (b) (6)

E-mail: (b) (6)

From: (b) (6)

Sent: Thursday, February 23, 2017 11:22 AM

To: (b) (6)

Cc: (b) (6)

Subject: (Confidential) Meeting on March 10

(b) (6)

Thanks for the information on the meeting date and time.

The following agenda mirrors my prior discussion with Marvin (from SHOT).

Attendees

Myself

(b) (6)

(b) (6) Now with (b) (6) and our partner in this endeavor)

Maybe (b) (6)

Agenda (Highly confidential)

Background

Based on our prior discussions, we (Orchid, ATF, and Industry) believe that there are opportunities to improve the technical infrastructure that underpins the firearms industry. These improvements will benefit: (1) Public safety; (2) ATF's operating cost structure; (3) The economics of a US industry. Whereas others believe the focus of change should be on product categorization and legislation, we believe that the greatest benefit will be derived from technology.

Meeting Objective

- (1) To review our (draft) proposed changes to ATF operating infrastructure
- (2) Better understand the cost implications of the current operating infrastructure
- (3) Listen to ATF's desired changes; and
- (4) Align the two perspectives and create a plan for growth.

Desired Outcome

A joint presentation and strategy for delivery to AG Jeff Sessions in mid March.

Topics

- (1) Characterizing the current operating environment
- (2) Discussing the impact to Public Safety, ATF Operating Costs and Industry Economics
- (3) Reviewing a future operating model

(b) (6) CEO, Orchid Advisors
CPIM, CMA, PMP, CIA

The Firearm Industry's Trusted Compliance & Operations Experts
40 West Hills Drive
Avon, CT 06001

(b) (6) (Office Phone)

800.507.4409 (Fax)

Only Firm Endorsed by
NSSF and NASGW

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Sat 3/11/2017 4:40:25 PM
Subject: Fwd: (Confidential) Meeting on March 10

Ron,

This is just FYI for an overview of the discussion we had with Orchid on Friday. I will discuss with you more in depth at our next meeting. There are some great ideas and opportunities to make real progress in both enforcement and infrastructure.

Thanks.

Marvin G. Richardson
Assistant Director, ATF

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From: (b) (6)
Date: March 10, 2017 at 7:50:46 AM EST
To: (b) (6)
(b) (6) "Gilbert, Curtis W." (b) (6), "Beasley, Roger L." (b) (6), "Richardson, Marvin G."
(b) (6)
Cc: "(b) (6)"
(b) (6)
Subject: (Confidential) Meeting on March 10

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Thank you

(b) (6)

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Firearms Industry Technical Advisor
Bureau of Alcohol, Tobacco, Firearms & Explosives
99 New York Ave. N.E.
Room 6N-528
Washington, D.C. 20226

Tel: (202) 648-(b) (6)

Cell: (b) (6)

E-mail: (b) (6)

From: (b) (6) [mailto:\(b\) \(6\)](#)
Sent: Thursday, February 23, 2017 11:22 AM
To: (b) (6)

Cc: (b) (6)

Subject: (Confidential) Meeting on March 10

(b) (6)

Thanks for the information on the meeting date and time.

The following agenda mirrors my prior discussion with Marvin (from SHOT).

Attendees

Myself

(b) (6)

(Now with Maynard Copper, and our partner in this endeavor)

Maybe (b) (6)

Agenda (Highly confidential)

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(b) (6) Office Phone)

800.507.4409 (Fax)

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NSSF and NASGW

To: Brandon, Thomas E. (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Wed 3/1/2017 11:10:51 PM
Subject: RE: ATF Twitter

Thanks for the heads up. Troubling trends for sure.

-----Original Message-----

From: Thomas.E.Brandon@usdoj.gov [mailto:(b) (6)]
Sent: Wednesday, March 01, 2017 3:30 PM
To: Larry Keane
Cc: Ronald.B.Turk (b) (6)
Subject: ATF Twitter

Larry, please check us out on Twitter. Thanks, Tom

Sent from my iPad

To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Brandon, Thomas E.
Sent: Wed 3/1/2017 8:29:40 PM
Subject: ATF Twitter

Larry, please check us out on Twitter. Thanks, Tom

Sent from my iPad

To: Brandon, Thomas E. (b) (6); Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/28/2017 2:14:33 PM
Subject: Re: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

Thanks

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M: (b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

On Tue, Feb 28, 2017 at 9:13 AM -0500, "Thomas.E.Brandon (b) (6)"
(b) (6) wrote:

Larry, I saw Ron replied to you. His reply reflects our conversation and intent. Have a nice day, Tom

Sent from my iPad

On Feb 28, 2017, at 8:43 AM, Turk, Ronald B. (b) (6) wrote:

Hi Larry. We talked yesterday with EPS; once we get some direction from the Department on the EO, we will host a round-table with ATF and key industry members (including NSSF) to talk about regulatory reform ideas and issues. Likely looking at a date sometime in this Spring. More to follow in next couple weeks.....

Ron

From: Larry Keane [\(b\) \(6\)](mailto:(b) (6))
Sent: Tuesday, February 28, 2017 8:39 AM
To: Brandon, Thomas E. (b) (6)

Cc: Turk, Ronald B. (b) (6)

Subject: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

Tom

Hope you are well. We saw the EO last week on the regulation reform issue. Of course we welcome discussion to find ways to reduce the regulatory burden on industry while still maintaining ATF's important mission of protecting the public safety.

Lawrence G. Keane
Senior Vice President, Assistant Secretary
& General Counsel
National Shooting Sports Foundation

W: (b) (6)

M: (b) (6)

(b) (6)

www.nssf.org

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<image001.jpg>

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*NSSF is the trade association for America's firearms industry.
Our mission: To promote, protect and preserve hunting and
the shooting sports*

To: Turk, Ronald B. (b) (6)
Cc: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Tue 2/28/2017 2:11:09 PM
Subject: Re: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

Larry, I saw Ron replied to you. His reply reflects our conversation and intent. Have a nice day, Tom

Sent from my iPad

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From: Larry Keane [[\(b\) \(6\)](mailto:(b) (6))]
Sent: Tuesday, February 28, 2017 8:39 AM
To: Brandon, Thomas E. <(b) (6)>
Cc: Turk, Ronald B. (b) (6)
Subject: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

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<image001.jpg>

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/28/2017 1:51:31 PM
Subject: RE: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

Thanks. It is great opportunity to streamline some things.

From: Ronald.B.Turk (b) (6)
Sent: Tuesday, February 28, 2017 8:44 AM
To: Larry Keane; Thomas.E.Brandon (b) (6)
Subject: RE: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

Hi Larry. We talked yesterday with EPS; once we get some direction from the Department on the EO, we will host a round-table with ATF and key industry members (including NSSF) to talk about regulatory reform ideas and issues. Likely looking at a date sometime in this Spring. More to follow in next couple weeks.....

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From: Larry Keane [mailto:(b) (6)]
Sent: Tuesday, February 28, 2017 8:39 AM
To: Brandon, Thomas E. <(b) (6)>
Cc: Turk, Ronald B. <(b) (6)>
Subject: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

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To: Larry Keane (b) (6); Brandon, Thomas E. (b) (6)
From: Turk, Ronald B.
Sent: Tue 2/28/2017 1:43:46 PM
Subject: RE: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force

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To: Brandon, Thomas E. (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/28/2017 1:38:34 PM
Subject: NSSF (Keane) Ltr to ATF Dep Dir Brandon Re Exec Order - Reg Reform Officer/Task Force
[NSSF \(Keane\) letter to ATF \(Thomas Brandon\) ltr in support \(2-28-17\).pdf](#)

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Lawrence G. Keane
Senior Vice President, Assistant Secretary
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NATIONAL SHOOTING SPORTS FOUNDATION, INC.

Headquarters: 11 Mile Hill Road • Newtown, CT 06470-2359 • Tel (b) (6) Fax (203) 426-1087
400 N. Capitol Street NW, Suite 490 • Washington, D.C. 20001 • Tel (b) (6) Fax (202) 220-1349
E-mail: (b) (6) nssf.org

LAWRENCE G. KEANE
SENIOR VICE PRESIDENT
& GENERAL COUNSEL

February 28, 2017

Mr. Thomas E. Brandon
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, NE, Room 5.S-144
Washington, D.C. 20226

Dear Director Brandon:

The National Shooting Sports Foundation (NSSF) is the trade association for the firearms, ammunition, hunting and recreational shooting sports industry. On behalf of our nearly 13,000 members nationwide, thank you for your leadership and your efforts to protect our communities and ensure criminals are brought to justice.

I am writing today in regards to the President's Executive Order on Enforcing the Regulatory Reform Agenda released on February 24, 2017. As you are aware, President Trump has instructed the heads of each agency to designate a Regulatory Reform Officer (RRO) charged with overseeing the implementation of regulatory reform initiatives and policies. NSSF strongly supports the President's action to lessen unnecessary regulatory burdens placed on the American people and hopes to be a resource to you and the ATF in this effort.

Specifically, as the trade association for the firearm and ammunition industry, we would like to offer to work with the ATF and the designated RRO in identifying, and changing or eliminating regulations that do not advance public safety, yet are unnecessary burdens to businesses in the industry. Whether it is the Don't Lie for the Other Guy program, or our matching rewards in response to thefts from retailers, NSSF has long enjoyed a cooperative relationship with the ATF, and we hope to build on these efforts for the benefit of our members and the American taxpayer. We stand ready to assist and appreciate your consideration.

Thank you again for your hard work and efforts to protect law-abiding citizens' right to keep and bear arms, and we look forward to hearing from you.

Sincerely,

Lawrence G. Keane
LGK/mas

To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6)
From: (b) (6)
Sent: Fri 2/24/2017 6:28:25 PM
[LEOSA-state-by-state.pdf](#)

Good afternoon

This was one of the items from the weekly EOD mail group – just an FYI ☺

SSA (b) (6)
(202) 648-(b) (6) Office
(b) (6) Cell

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Please remember that the use of email for confidential discussions is not appropriate.

LEOSA state by state: Why are retired police officers having problems?

The Law Enforcement Officer Safety Act, which is also known as HR 218 (hereinafter “LEOSA”) was enacted on July 22, 2004 to extend active law enforcement officers and retired law enforcement officers the opportunity of carrying a concealed firearm in all fifty (50) states, the District of Columbia, and all U.S. territories (hereinafter collectively called “states”) as long as they meet certain requirements. Since the law was enacted, it has been amended twice in 2010 and 2013. The intention of the amendments was:

1. To extend the benefits to persons who separated after serving an aggregate of ten (10) years or more as active, reserve, auxiliary or volunteer law enforcement officers.
2. To extend the benefits to all active or retired military personnel, law enforcement officers from the Department of Defense, and all law enforcement officers from the executive branch of the federal government, Amtrak, and the Federal Reserve.
3. To mandate that all active and retired law enforcement officers must carry a photographic ID that identifies the person as authorized to carry a concealed firearm under LEOSA.

In order to qualify to receive this privilege, the active or retired law enforcement officer (“LEOs”) must meet LEOSA’s requirements and those requirements established by the states. LEOSA’s requirements for active LEOs are the following:

1. Authorized by law to engage in, or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for any violation of law, and has statutory powers of arrest;
2. Authorized by the agency to carry a firearm;
3. Not to be subject of any disciplinary action by the agency which could result in suspension or loss of police powers;
4. Meets the standards established by the employer agency to regularly qualify and train in the use of a firearm;
5. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
6. Is not prohibited by State or Federal law from carrying or receiving a firearm.

LEOSA’s requirements for retired LEOs are the following:

1. Separated from service in good standing from a government agency as a law enforcement officer for reasons other than mental instability;
2. Authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for any violation of law;
3. Had statutory powers of arrest or apprehension immediately before retirement;
4. Was separated from service in good standing with a government agency as a LEO for an aggregate of ten (10) years or more, or separated from such an agency due to a service-connected disability after completing any applicable probationary period of such service;
5. During the past twelve (12) months has met, at his/her own expense, the standards for qualification for active law enforcement officers to carry firearms of his/her former employer agency or of those established by the state;

6. Cannot be under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
7. Is not prohibited by State or Federal law from carrying or receiving a firearm.

So, what's the problem?

LEOSA requirements may seem pretty straightforward. However the amendments and the language of the law have caused many problems to LEOs, some of which have been arrested and indicted. In addition to the ambiguity of LEOSA's language, the implementation of the law by the states has been inconsistent at least.

This article intends to provide some guidance and caution to LEOs, so that when they decide to exercise this privilege, they do so without violating any state or federal law. Despite the information contained in this article, it's impossible to include all situations that are occurring in the states. We strongly advise to consult with an attorney for further clarification.

1. First Problem: Definition of firearm in LEOSA

LEOSA's legislative history, as well as some cases addressing the intention of the law as to the definition of firearm, may demonstrate that LEOSA applies to all firearms except those specifically exempted in the law. However, LEOs must be aware of the current laws of their state on which firearms are permitted to be carried concealed. Although LEOSA is a federal law and as such preempts any state law, LEOs should avoid getting themselves in a criminal prosecution that may or may not end up being dismissed.

Solution: Be familiar with your state requirements to carry a concealed firearm.

2. Second Problem: Gun Free Zones

LEOSA and state laws have some exceptions where carrying a concealed firearm is prohibited. LEOSA states that carrying a concealed firearm into private property, where the possession of a firearm is not permitted is a violation of the law. LEOSA also prohibits the possession of any firearm in property owned or leased by state or federal governments. LEOs also need to be aware of additional locations, if any, where their state does not allow firearm possession.

It seems clear and logical enough. But it is not. There are exceptions in which individuals are permitted to carry concealed firearms in federal park lands with a state issued permit. At the same time, there are areas marked as Gun Free School Zones in which, if an individual is caught with a concealed weapon and possess a permit not issued by the state, he/she can get in trouble in that state. Gun Free School Zones could be big and you might pass by it inadvertently. It is important for LEOs to get familiar with the firearms laws of the state they are in and if they don't have a state issued permit to carry a concealed firearm, they should be familiar with the Gun Free School Zones to avoid them.

3. Third Problem: Some states or agencies are not issuing LEOSA identifications to qualified LEOs.

When LEOSA was amended to require an identification card, the Department of Defense did not amend their policy. Qualified LEOs who worked with the Department of Defense do not have a LEOSA identification, which could get them in trouble in their own states or if they travel to a state that requires it.

Additionally, there are some states that allow LEOs to carry concealed firearms without an identification. There are other states who have made different interpretation of LEOSA and are refusing to grant the privilege to qualified individuals. Others are refusing to issue identifications for lack of funds or are issuing identifications to local LEOs and not to those LEOs from out of state. All those states that have these problems are listed below.

4. **Fourth Problem: Issues with the annual Firearm certification required by LEOSA.**
Qualification training as required by LEOSA is definitely not consistent within the states. There are states that does not require qualification training at all after you retire. On those states that the qualification training is not regulated by the state, some individuals calling themselves certified instructors, are providing “qualification training” that does not necessarily meet the standards of the state or of the local law enforcement agencies. A qualified LEO might take that training and have a certification issued on that training that might not be recognized by the state, causing the LEO to get in trouble for carrying a concealed firearm without a permit. LEOs need to be extra cautious when enrolling in a qualification training in a state that does not have a list of certified instructors. Those states that do have a list have made it available online in their official webpage or in the webpage of the local law enforcement agencies.

Some states have both state qualification training and the training that each law enforcement agency provides to their own LEOs. Those states that have both, allow out of state LEOs to take the state qualification training if they need their LEOSA identification. Information about which states have problems with the qualification training is provided below.

Finally, if a LEO wants to have more than one concealed firearm, not all states require qualification training on each firearm he/she intends to carry. LEOSA is not clear on this regard and defers the decision to the states causing more inconsistency. A LEO trained to carry one concealed firearm and is caught in another state that is more restrictive with a different one could get prosecuted.

5. **Fifth Problem: Inconsistencies in the application of LEOSA requirements to apply for the privilege.**
The next section will provide an insight on which states are LEOSA friendly and which states have requirements or lack thereof that could cause legal problems to qualified LEOs.

LEOSA in the states

The following states have requirements that are very similar to LEOSA and are issuing the identifications to LEOs to carry concealed firearms in accordance with the law:

- | | | |
|--------------------|------------------|-------------------------|
| 1. Arkansas | 2. California | 3. Colorado |
| 4. Connecticut | 5. Delaware | 6. District of Columbia |
| 7. Florida | 8. Georgia | 9. Hawaii |
| 10. Idaho | 11. Illinois | 12. Indiana |
| 13. Iowa | 14. Kansas | 15. Kentucky |
| 16. Louisiana | 17. Maine | 18. Maryland |
| 19. Massachusetts | 20. Michigan | 21. Minnesota |
| 22. Mississippi | 23. Nebraska | 24. Nevada |
| 25. New Hampshire | 26. New Mexico | 27. New York |
| 28. North Carolina | 29. North Dakota | 30. Oklahoma |
| 31. Oregon | 32. Pennsylvania | 33. South Carolina |
| 34. South Dakota | 35. Tennessee | 36. Texas |
| 37. Utah | 38. Vermont | 39. Virginia |
| 40. Wisconsin | 41. Wyoming | |

The following states have requirements or lack thereof that are in conflict with LEOSA and could cause serious legal problems to qualified LEOs:

1. Alabama: This state does not require annual re-qualification for the concealed firearms. The identification issued by this state will only be valid in that state and on those states that have reciprocity with Alabama. We strongly recommend that LEOs from this state should familiarize with the states that have reciprocity with Alabama or should not carry their concealed firearm out of state. If a LEO moves out of this state, he/she should qualify for a LEOSA identification in the state he/she is moving to.
2. Alaska: This state is not issuing identifications allowing LEOs to carry concealed firearms because carrying a concealed firearm in this state is allowed. Additionally this state does not require annual firearm re-qualification. LEOs from this state should not carry their concealed firearm out of state. If a LEO moves out of this state, he/she should apply and qualify for a LEOSA identification in the state they are moving to.
3. Arizona: This state has a law that seems to be equivalent to LEOSA. However is it not extending the LEOSA privilege to campus or university police officers when they retire because the state do not consider them qualified under their law to carry a concealed weapon.
4. Missouri: Only the law enforcement agencies where the LEOs are from, can offer him/her the qualification training and issue a LEOSA identification to their own LEOs. If a law enforcement agency from that state does not have the program available, those LEOs that are or were from that agency would not be able to have a concealed weapon under LEOSA. Out of state LEOs moving

- to this state must verify if they have reciprocity with their state of residence or corroborate if any of Missouri's law enforcement agencies will qualify them and issue them a LEOSA identification.
5. Montana: Since there was no federal funding to implement LEOSA in the states, there are only a few local agencies that offer the qualification training and the LEOSA identification.
 6. New Jersey: This state has its own law equivalent to LEOSA with the same limitations as Arizona.
 7. Ohio: The state of Ohio does not issue LEOSA identification cards. This state left the decision of the issuance of LEOSA identification cards to the local police departments and sheriffs' offices. Retired LEOs can qualify and re-qualify with their concealed firearms in the law enforcement agency they retired from but they will have no identification to prove it out of state. It seems that out of state LEOs can request to qualify under Ohio standards for LEOSA to an Ohio Peace Officer Training Commission approved instructor. This represents a risk to LEOs if they decide to carry their concealed firearm out of state.
 8. Rhode Island: The only certify their own law enforcement officers and they do not honor any other state permits or identifications under LEOSA. The only solution for out of state LEOs is apply for a concealed firearm permit like any other citizen of Rhode Island in accordance with their requirements.
 9. U.S. Virgin Islands: This territory of United States does not recognize or accept any identification issued by another state. LEOs should not bring their concealed firearms with them if they visit this island. They have their own system to issue firearms licenses. They do issue permits to carry firearms to retired or active LEOs but all LEOs must meet their own requirements.
 10. Puerto Rico: This territory of United States have confusing requirements. Active LEOs are only allowed to carry their regulation firearm or the firearm issued to them by the Puerto Rico Police Department after being qualified. They are allowed to carry that firearm concealed. LEOs who retired in good standing can apply for a license to carry a firearm and they are allowed to carry it concealed. Out of state LEOs are required to register or notify their firearm to the Puerto Rico Police Department regardless if they are only visiting. LEOSA identification or their active LEO identification is essential for the notification/registration process. It is strongly recommended to learn about their notification/registration process before coming to this territory.
 11. Washington: This state does not require a permit, certification, or identification to LEOs to carry a concealed firearm. Retired LEOs are allowed to carry concealed weapons as long as they retired in good standing from their law enforcement agency. We strongly recommend that LEOs from this state should familiarize with the states that have reciprocity with Washington or should not carry their concealed firearm out of state. If a LEO moves out of this state, he/she should qualify for a LEOSA identification in the state he/she is moving to.
 12. West Virginia: Although this state is "LEOSA friendly", effective on May 2016, this state would not require an identification to retired LEOs that qualify under LEOSA. We strongly recommend that LEOs from this state should familiarize with the states that have reciprocity with West Virginia or should not carry their concealed firearm out of state. If a LEO moves out of this state, he/she should qualify for a LEOSA identification in the state he/she is moving to.

Concluding Remarks

LEOs need to be familiar with the firearm laws of their state or of the state they intend to visit. If LEOs need to travel to another state because of an emergency or an unplanned vacation they should consult with an attorney with knowledge of the laws of that state or they should leave their firearms behind in accordance with the laws of their state. When there are work related assignments the attorney of the LEO's law enforcement agency could find out the necessary requirements and provide the information to the LEO. A LEO should not assume the risk, hoping he/she would not get caught or rely on professional courtesy from another LEO to get out of trouble. Prevention is key.

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To: Gross, Charles R. (b) (6) Brandon, Thomas E. (b) (6) Turk,
Ronald B. (b) (6) Allen, Joseph J. (b) (6)
Cc: Roessner, Joel J. (b) (6)
(b) (6)
From: (b) (6)
Sent: Tue 2/21/2017 9:39:16 PM
Subject: RE: 4th Circuit decision
[Kolbe v. Hogan, 141945A.P.pdf](#)

Decision attached.

From: Gross, Charles R.
Sent: Tuesday, February 21, 2017 4:19 PM
To: Brandon, Thomas E. <(b) (6)> Turk, Ronald B. <(b) (6)> Allen, Joseph J.
<(b) (6)>
Cc: (b) (6); Roessner, Joel J. <(b) (6)>
Subject: 4th Circuit decision

Sir:

The Washington Post is reporting that the 4th Circuit Court of Appeals sitting as a whole, by a vote of 10-4, has determined that Maryland's decision post Newtown to ban "assault rifles" does not violate the 2nd Amendment. This reverses a panel decision going the other direction. I will ask (b) (6) to obtain a copy of the decision.

V/r

Chuck

PUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-1945

STEPHEN V. KOLBE; ANDREW C. TURNER; WINK'S SPORTING GOODS,
INCORPORATED; ATLANTIC GUNS, INCORPORATED; ASSOCIATED GUN
CLUBS OF BALTIMORE, INCORPORATED; MARYLAND SHALL ISSUE,
INCORPORATED; MARYLAND STATE RIFLE AND PISTOL ASSOCIATION,
INCORPORATED; NATIONAL SHOOTING SPORTS FOUNDATION,
INCORPORATED; MARYLAND LICENSED FIREARMS DEALERS
ASSOCIATION, INCORPORATED,

Plaintiffs - Appellants,

and

SHAWN J. TARDY; MATTHEW GODWIN,

Plaintiffs,

v.

LAWRENCE J. HOGAN, Jr., in his official capacity as
Governor of the State of Maryland; BRIAN E. FROSH, in his
official capacity as Attorney General of the State of
Maryland; COLONEL WILLIAM M. PALLOZZI, in his official
capacity as Secretary of the Department of State Police and
Superintendent of the Maryland State Police; MARYLAND STATE
POLICE,

Defendants - Appellees.

STATE OF WEST VIRGINIA; STATE OF ALABAMA; STATE OF ALASKA;
STATE OF ARIZONA; STATE OF FLORIDA; STATE OF IDAHO; STATE
OF KANSAS; STATE OF LOUISIANA; STATE OF MICHIGAN; STATE OF
MISSOURI; STATE OF MONTANA; STATE OF NEBRASKA; STATE OF NEW
MEXICO; STATE OF NORTH DAKOTA; STATE OF OKLAHOMA; STATE OF
SOUTH CAROLINA; STATE OF SOUTH DAKOTA; STATE OF TEXAS;
STATE OF UTAH; STATE OF WYOMING; COMMONWEALTH OF KENTUCKY;
TRADITIONALIST YOUTH NETWORK, LLC; NATIONAL RIFLE

ASSOCIATION OF AMERICA; CRPA FOUNDATION; GUN OWNERS OF CALIFORNIA; COLORADO STATE SHOOTING ASSOCIATION; IDAHO STATE RIFLE & PISTOL ASSOCIATION; ILLINOIS STATE RIFLE ASSOCIATION; KANSAS STATE RIFLE ASSOCIATION; LEAGUE OF KENTUCKY SPORTSMEN, INC.; NEVADA FIREARMS COALITION; ASSOCIATION OF NEW JERSEY RIFLE & PISTOL CLUBS; NEW MEXICO SHOOTING SPORTS ASSOCIATION; NEW YORK RIFLE & PISTOL ASSOCIATION; TEXAS STATE RIFLE ASSOCIATION; VERMONT FEDERATION OF SPORTSMAN'S CLUBS; VERMONT RIFLE & PISTOL ASSOCIATION; GUN OWNERS OF AMERICA, INC.; GUN OWNERS FOUNDATION; U.S. JUSTICE FOUNDATION; THE LINCOLN INSTITUTE FOR RESEARCH AND EDUCATION; THE ABRAHAM LINCOLN FOUNDATION FOR PUBLIC POLICY RESEARCH, INC.; CONSERVATIVE LEGAL DEFENSE AND EDUCATION FUND; INSTITUTE ON THE CONSTITUTION; CONGRESS OF RACIAL EQUALITY; NATIONAL CENTER FOR PUBLIC POLICY RESEARCH; PROJECT 21; PINK PISTOLS; WOMEN AGAINST GUN CONTROL; THE DISABLED SPORTSMEN OF NORTH AMERICA; LAW ENFORCEMENT LEGAL DEFENSE FUND; LAW ENFORCEMENT ACTION NETWORK; LAW ENFORCEMENT ALLIANCE OF AMERICA; INTERNATIONAL LAW ENFORCEMENT EDUCATORS AND TRAINERS ASSOCIATION; WESTERN STATES SHERIFFS' ASSOCIATION,

Amici Supporting Appellants,

LAW CENTER TO PREVENT GUN VIOLENCE; MARYLANDERS TO PREVENT GUN VIOLENCE, INCORPORATED; BRADY CENTER TO PREVENT GUN VIOLENCE; STATE OF NEW YORK; STATE OF CALIFORNIA; STATE OF CONNECTICUT; STATE OF HAWAII; STATE OF ILLINOIS; STATE OF IOWA; STATE OF MASSACHUSETTS; STATE OF OREGON; DISTRICT OF COLUMBIA,

Amici Supporting Appellees.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Catherine C. Blake, District Judge. (1:13-cv-02841-CCB)

Argued: May 11, 2016

Decided: February 21, 2017

Before GREGORY, Chief Judge, and WILKINSON, NIEMEYER, MOTZ, TRAXLER, KING, SHEDD, AGEE, KEENAN, WYNN, DIAZ, FLOYD, THACKER, and HARRIS, Circuit Judges.

Affirmed by published opinion. Judge King wrote the opinion for the en banc majority, in which Chief Judge Gregory and Judges Wilkinson, Motz, Keenan, Wynn, Floyd, Thacker, and Harris joined in full; Judge Diaz joined in part as to the Second Amendment claims and joined as to the Fourteenth Amendment equal protection and due process claims; and Judges Niemeyer, Shedd, and Agee joined as to the Fourteenth Amendment claims only. Judge Wilkinson wrote a concurring opinion, in which Judge Wynn joined. Judge Diaz wrote an opinion concurring in part and concurring in the judgment as to the Second Amendment claims. Judge Traxler wrote a dissenting opinion as to the Second Amendment claims, in which Judges Niemeyer, Shedd, and Agee joined. Judge Traxler also wrote an opinion dissenting as to the Fourteenth Amendment equal protection claim and concurring in the judgment as to the Fourteenth Amendment due process claim.

ARGUED: John Parker Sweeney, BRADLEY ARANT BOULT CUMMINGS LLP, Washington, D.C., for Appellants. Matthew John Fader, OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for Appellees. **ON BRIEF:** T. Sky Woodward, James W. Porter, III, Marc A. Nardone, BRADLEY ARANT BOULT CUMMINGS LLP, Washington, D.C., for Appellants. Brian E. Frosh, Attorney General of Maryland, Jennifer L. Katz, Assistant Attorney General, OFFICE OF THE ATTORNEY GENERAL OF MARYLAND, Baltimore, Maryland, for Appellees. Kyle J. Bristow, BRISTOW LAW, PLLC, Clarkston, Michigan; Jason Van Dyke, THE VAN DYKE LAW FIRM, PLLC, Plano, Texas, for Amicus Traditionalist Youth Network, LLC. Patrick Morrissey, Attorney General, Elbert Lin, Solicitor General, Julie Marie Blake, Erica N. Peterson, Gilbert Dickey, Assistant Attorneys General, OFFICE OF THE ATTORNEY GENERAL OF WEST VIRGINIA, Charleston, West Virginia, for Amicus State of West Virginia; Luther Strange, Attorney General of Alabama, Montgomery, Alabama, for Amicus State of Alabama; Michael C. Geraghty, Attorney General of Alaska, Juneau, Alaska, for Amicus State of Alaska; Thomas C. Horne, Attorney General of Arizona, Phoenix, Arizona, for Amicus State of Arizona; Pam Bondi, Attorney General of Florida, Tallahassee, Florida, for Amicus State of Florida; Lawrence G. Wasden, Attorney General of Idaho, Boise, Idaho, for Amicus State of Idaho; Derek Schmidt, Attorney General of Kansas, Topeka, Kansas, for Amicus State of Kansas; James D. Caldwell, Attorney General of Louisiana, Baton Rouge, Louisiana, for Amicus State of Louisiana; Bill Schuette, Attorney General of Michigan, Lansing, Michigan, for Amicus State of Michigan; Chris Koster, Attorney General of Missouri,

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International Law Enforcement Educators and Trainers Association, and Western States Sheriffs' Association. Jonathan K. Baum, Chicago, Illinois, Mark T. Ciani, KATTEN MUCHIN ROSENMAN LLP, New York, New York, for Amici Law Center to Prevent Gun Violence and Marylanders to Prevent Gun Violence, Inc. Jonathan E. Lowy, Kelly Sampson, BRADY CENTER TO PREVENT GUN VIOLENCE, Washington, D.C.; Elliott Schulder, Suzan F. Charlton, Amit R. Vora, Catlin Meade, Stephen Kiehl, COVINGTON & BURLING LLP, Washington, D.C., for Amicus Brady Center To Prevent Gun Violence. Barbara D. Underwood, Solicitor General, Anisha S. Dasgupta, Deputy Solicitor General, Claude S. Platten, Assistant Solicitor General, Eric T. Schneiderman, Attorney General of the State of New York, for Amicus State of New York; Kamala D. Harris, Attorney General of California, Sacramento, California, for Amicus State of California; George Jepsen, Attorney General of Connecticut, Hartford, Connecticut, for Amicus State of Connecticut; Russell A. Suzuki, Attorney General of Hawaii, Honolulu, Hawaii, for Amicus State of Hawaii; Lisa Madigan, Attorney General of Illinois, Chicago, Illinois, for Amicus State of Illinois; Thomas J. Miller, Attorney General of Iowa, Des Moines, Iowa, for Amicus State of Iowa; Martha Coakley, Attorney General of Massachusetts, Boston, Massachusetts, for Amicus Commonwealth of Massachusetts; Ellen F. Rosenblum, Attorney General of Oregon, Salem, Oregon, for Amicus State of Oregon; Karl A. Racine, Attorney General of The District of Columbia, Washington, D.C., for Amicus The District of Columbia. J. Adam Skaggs, Mark Anthony Frassetto, EVERYTOWN FOR GUN SAFETY, New York, New York; Deepak Gupta, Jonathan E. Taylor, Neil K. Sawhney, GUPTA WESSLER PLLC, Washington, D.C., for Amicus Everytown for Gun Safety.

KING, Circuit Judge:

On the morning of December 14, 2012, in Newtown, Connecticut, a gunman used an AR-15-type Bushmaster rifle and detachable thirty-round magazines to murder twenty first-graders and six adults in the Sandy Hook Elementary School. Two additional adults were injured by gunfire, and just twelve children in the two targeted classrooms were not shot. Nine terrified children ran from one of the classrooms when the gunman paused to reload, while two youngsters successfully hid in a restroom. Another child was the other classroom's sole survivor. In all, the gunman fired at least 155 rounds of ammunition within five minutes, shooting each of his victims multiple times.

Both before and after Newtown, similar military-style rifles and detachable magazines have been used to perpetrate mass shootings in places whose names have become synonymous with the slaughters that occurred there — like Aurora, Colorado (twelve killed and at least fifty-eight wounded in July 2012 in a movie theater), and San Bernardino, California (fourteen killed and more than twenty wounded in December 2015 at a holiday party). In the early morning hours of June 12, 2016, a gunman killed forty-nine and injured fifty-three at the Pulse nightclub in Orlando, Florida, making it the site of this country's deadliest mass shooting yet. According to news

reports, the Orlando gunman used a Sig Sauer MCX, a semiautomatic rifle that was developed at the request of our Army's special forces and is known in some military circles as the "Black Mamba." Other massacres have been carried out with handguns equipped with magazines holding more than ten rounds, including those at Virginia Tech (thirty-two killed and at least seventeen wounded in April 2007) and Fort Hood, Texas (thirteen killed and more than thirty wounded in November 2009), as well as in Binghamton, New York (thirteen killed and four wounded in April 2009 at an immigration center), and Tucson, Arizona (six killed and thirteen wounded in January 2011 at a congresswoman's constituent meeting in a grocery store parking lot).

In response to Newtown and other mass shootings, the duly elected members of the General Assembly of Maryland saw fit to enact the State's Firearm Safety Act of 2013 (the "FSA"), which bans the AR-15 and other military-style rifles and shotguns (referred to as "assault weapons") and detachable large-capacity magazines. The plaintiffs in these proceedings contest the constitutionality of the FSA with a pair of Second Amendment claims — one aimed at the assault weapons ban, the other at the prohibition against large-capacity magazines — plus Fourteenth Amendment equal protection and due process claims.

On cross-motions for summary judgment, a distinguished judge in the District of Maryland ruled in August 2014 that the

FSA is constitutional and thus awarded judgment to the defendants. See Kolbe v. O'Malley, 42 F. Supp. 3d 768 (D. Md. 2014) (the "Opinion"). Addressing the plaintiffs' Second Amendment claims under the Supreme Court's decision in District of Columbia v. Heller, 554 U.S. 570 (2008), the district court expressed grave doubt that the banned assault weapons and large-capacity magazines are constitutionally protected arms. Nevertheless, the court ultimately assumed that the FSA implicates the Second Amendment and subjected it to the "intermediate scrutiny" standard of review. In the wake of Heller, four of our sister courts of appeals have also rejected Second Amendment challenges to bans on assault weapons and large-capacity magazines, including two (the Second and District of Columbia Circuits) that utilized an analysis similar to the district court's.

In early February of 2016, a divided three-judge panel of this Court vacated the Opinion's Second Amendment rulings and remanded to the district court, directing the application of the more restrictive standard of "strict scrutiny" to the FSA. See Kolbe v. Hogan, 813 F.3d 160 (4th Cir. 2016). Pursuant to its reading of Heller, the panel majority determined that the banned assault weapons and large-capacity magazines are indeed protected by the Second Amendment, and that the FSA substantially burdens the core Second Amendment right to use

arms for self-defense in the home. We thereby became the first and only court of appeals to rule that a ban on assault weapons or large-capacity magazines deserves strict scrutiny. Meanwhile, the panel affirmed the district court's denial of the plaintiffs' Fourteenth Amendment claims. On March 4, 2016, the panel's decision was vacated in its entirety by our Court's grant of rehearing en banc in this case. We heard argument en banc on May 11, 2016, and the appeal is now ripe for disposition.

As explained below, we are satisfied to affirm the district court's judgment, in large part adopting the Opinion's cogent reasoning as to why the FSA contravenes neither the Second Amendment nor the Fourteenth. We diverge from the district court on one notable point: We conclude — contrary to the now-vacated decision of our prior panel — that the banned assault weapons and large-capacity magazines are not protected by the Second Amendment. That is, we are convinced that the banned assault weapons and large-capacity magazines are among those arms that are “like” “M-16 rifles” — “weapons that are most useful in military service” — which the Heller Court singled out as being beyond the Second Amendment's reach. See 554 U.S. at 627 (rejecting the notion that the Second Amendment safeguards “M-16 rifles and the like”). Put simply, we have no power to extend Second Amendment protection to the weapons of war that

the Heller decision explicitly excluded from such coverage. Nevertheless, we also find it prudent to rule that — even if the banned assault weapons and large-capacity magazines are somehow entitled to Second Amendment protection — the district court properly subjected the FSA to intermediate scrutiny and correctly upheld it as constitutional under that standard of review.

I.

A.

The General Assembly of Maryland passed the FSA on April 4, 2013, the Governor signed it into law that May 16, and it became effective several months later on October 1. The FSA provides that a person may neither “transport an assault weapon into the State” nor “possess, sell, offer to sell, transfer, purchase, or receive an assault weapon.” See Md. Code Ann., Crim. Law § 4-303(a). The banned assault weapons include “assault long gun[s]” and “copycat weapon[s].” Id. § 4-301(d).

The FSA defines an assault long gun as a rifle or shotgun “listed under § 5-101(r)(2) of the Public Safety Article,” including the “Colt AR-15,” “Bushmaster semi-auto rifle,” and “AK-47 in all forms.” See Md. Code Ann., Crim. Law § 4-301(b); Md. Code Ann., Pub. Safety § 5-101(r)(2). The list of prohibited rifles and shotguns consists of “specific assault

weapons or their copies, regardless of which company produced and manufactured that assault weapon." See Md. Code Ann., Pub. Safety § 5-101(r)(2) (emphasis added).

The rifles and shotguns specifically identified as banned in section 5-101(r)(2) — mostly semiautomatic rifles — are as follows:

(i) American Arms Spectre da Semiautomatic carbine;
(ii) AK-47 in all forms; (iii) Algimec AGM-1 type semi-auto; (iv) AR 100 type semi-auto; (v) AR 180 type semi-auto; (vi) Argentine L.S.R. semi-auto;
(vii) Australian Automatic Arms SAR type semi-auto;
(viii) Auto-Ordnance Thompson M1 and 1927 semi-automatics; (ix) Barrett light .50 cal. semi-auto;
(x) Beretta AR70 type semi-auto; (xi) Bushmaster semi-auto rifle; (xii) Calico models M-100 and M-900;
(xiii) CIS SR 88 type semi-auto; (xiv) Claridge HI TEC C-9 carbines; (xv) Colt AR-15, CAR-15, and all imitations except Colt AR-15 Sporter H-BAR rifle;
(xvi) Daewoo MAX 1 and MAX 2, aka AR 100, 110C, K-1, and K-2; (xvii) Dragunov Chinese made semi-auto;
(xviii) Famas semi-auto (.223 caliber); (xix) Feather AT-9 semi-auto; (xx) FN LAR and FN FAL assault rifle;
(xxi) FNC semi-auto type carbine;
(xxii) F.I.E./Franchi LAW 12 and SPAS 12 assault shotgun; (xxiii) Steyr-AUG-SA semi-auto; (xxiv) Galil models AR and ARM semi-auto; (xxv) Heckler and Koch HK-91 A3, HK-93 A2, HK-94 A2 and A3; (xxvi) Holmes model 88 shotgun; (xxvii) Avtomat Kalashnikov semiautomatic rifle in any format; (xxviii) Manchester Arms "Commando" MK-45, MK-9; (xxix) Mandell TAC-1 semi-auto carbine; (xxx) Mossberg model 500 Bullpup assault shotgun; (xxxi) Sterling Mark 6; (xxxii) P.A.W.S. carbine; (xxxiii) Ruger mini-14 folding stock model (.223 caliber); (xxxiv) SIG 550/551 assault rifle (.223 caliber); (xxxv) SKS with detachable magazine; (xxxvi) AP-74 Commando type semi-auto; (xxxvii) Springfield Armory BM-59, SAR-48, G3, SAR-3, M-21 sniper rifle, M1A, excluding the M1 Garand; (xxxviii) Street sweeper assault type shotgun; (xxxix) Striker 12 assault shotgun in all formats;
(xl) Unique F11 semi-auto type; (xli) Daewoo USAS 12

(Continued)

The FSA provides a separate definition for a copycat weapon that is premised on a weapon's characteristics, rather than being identified by a list of specific firearms. In relevant part, a copycat weapon means:

- (i) a semiautomatic centerfire rifle that can accept a detachable magazine and has any two of the following:
 - 1. a folding stock;
 - 2. a grenade launcher or flare launcher;
or
 - 3. a flash suppressor;
 - (ii) a semiautomatic centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds;
 - (iii) a semiautomatic centerfire rifle that has an overall length of less than 29 inches;
- * * *
- (v) a semiautomatic shotgun that has a folding stock; or
 - (vi) a shotgun with a revolving cylinder.

See Md. Code Ann., Crim. Law § 4-301(e)(1). The FSA excludes assault long guns — those enumerated in section 5-101(r)(2) of

semi-auto shotgun; (xlii) UZI 9mm carbine or rifle; (xliii) Valmet M-76 and M-78 semi-auto; (xliv) Weaver Arms "Nighthawk" semi-auto carbine; or (xlv) Wilkinson Arms 9mm semi-auto "Terry."

See Md. Code Ann., Pub. Safety § 5-101(r)(2).

the Public Safety Article and their copies — from the definition of a copycat weapon. See Md. Code Ann., Crim. Law § 4-301(e) (2).⁴

In banning large-capacity magazines along with assault weapons, the FSA provides that “[a] person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than 10 rounds of ammunition for a firearm.” See Md. Code Ann., Crim. Law § 4-305(b). A detachable magazine is defined as “an ammunition feeding device that can be removed readily from a firearm without requiring disassembly of the firearm action or without the use of a tool, including a bullet or cartridge.” Id. § 4-301(f).

A person who violates the FSA is subject to criminal prosecution and imprisonment for up to three years plus a fine not exceeding \$5,000. See Md. Code Ann., Crim. Law § 4-306(a). A longer prison term is mandatory if a person uses an assault weapon or large-capacity magazine in the commission of a felony or crime of violence, i.e., five to twenty years for a first

⁴ Although the FSA also identifies “assault pistol[s]” as assault weapons, see Md. Code Ann., Crim. Law § 4-301(c), (d)(2), the plaintiffs have not challenged the FSA’s prohibition against assault pistols. Thus, our discussion of the banned assault weapons is limited to assault long guns and those copycat weapons that are rifles and shotguns.

violation, and ten to twenty years for each subsequent violation. See id. § 4-306(b).

Under the FSA's exceptions, "[a] licensed firearms dealer may continue to possess, sell, offer for sale, or transfer an assault long gun or a copycat weapon that the licensed firearms dealer lawfully possessed on or before October 1, 2013," and "[a] person who lawfully possessed, has a purchase order for, or completed an application to purchase an assault long gun or a copycat weapon before October 1, 2013, may . . . possess and transport the assault long gun or copycat weapon." See Md. Code Ann., Crim. Law § 4-303(b)(2), (3)(i). The FSA does not ban the possession of a large-capacity magazine. Further, the FSA explicitly allows the receipt and possession of an assault weapon or large-capacity magazine by a retired Maryland law enforcement officer if the assault weapon or large-capacity magazine "is sold or transferred to the person by the law enforcement agency on retirement" or "was purchased or obtained by the person for official use with the law enforcement agency before retirement." Id. § 4-302(7).

B.

On September 26, 2013, the plaintiffs filed their initial Complaint in the District of Maryland. The following day, they requested a temporary restraining order from the district court, seeking to bar the defendants from enforcing the challenged

provisions of the FSA once it took effect on October 1, 2013. The court conducted a hearing on October 1 and denied the requested temporary restraining order from the bench. Thereafter, the parties agreed that the court should proceed to resolve the merits of the litigation on cross-motions for summary judgment.

The operative Third Amended Complaint, filed on November 22, 2013, asks for declaratory and injunctive relief. It alleges the FSA is facially unconstitutional in four respects: (1) the assault weapons ban contravenes the Second Amendment; (2) the prohibition against large-capacity magazines also violates the Second Amendment; (3) the provision allowing receipt and possession of assault weapons and large-capacity magazines by retired Maryland law enforcement officers contravenes the Equal Protection Clause of the Fourteenth Amendment; and (4) the provision outlawing "copies" of the rifles and shotguns enumerated in section 5-101(r)(2) of the Public Safety Article violates the Fourteenth Amendment's Due Process Clause by being too vague to provide adequate notice of the conduct proscribed.

The plaintiffs include Stephen V. Kolbe and Andrew Turner, two Maryland residents who have asserted that they would purchase assault weapons and large-capacity magazines but for the FSA. Other plaintiffs are firearms dealers in Maryland and

firearms-related associations: Wink's Sporting Goods, Incorporated; Atlantic Guns, Incorporated; Associated Gun Clubs of Baltimore, Incorporated; Maryland Shall Issue, Incorporated; Maryland State Rifle and Pistol Association, Incorporated; National Shooting Sports Foundation, Incorporated; and Maryland Licensed Firearms Dealers Association, Incorporated. See Kolbe v. O'Malley, 42 F. Supp. 3d 768, 774 n.3 (D. Md. 2014) (concluding that "a credible threat of prosecution under the [FSA]" confers standing on individual plaintiffs Kolbe and Turner, and thus "jurisdiction is secure . . . whether or not the additional plaintiffs have standing" (citing Vill. of Arlington Heights v. Metro. Hous. Dev. Corp., 429 U.S. 252, 264 & n.9 (1977))).

The plaintiffs' claims are made against four defendants in their official capacities: Lawrence J. Hogan, Jr., Governor of the State of Maryland, as successor to Martin J. O'Malley; Brian E. Frosh, the State's Attorney General, as successor to Douglas F. Gansler; Colonel William M. Pallozzi, Secretary of the Department of State Police and Superintendent of the Maryland State Police, as successor to Colonel Marcus L. Brown; and the Maryland State Police. We hereafter refer to the defendants collectively as the "State."

C.

1.

In support of its motion for summary judgment, the State proffered extensive uncontroverted evidence demonstrating that the assault weapons outlawed by the FSA are exceptionally lethal weapons of war.³ A prime example of the State's evidence is that the most popular of the prohibited assault weapons — the AR-15 — is simply the semiautomatic version of the M16 rifle used by our military and others around the world. Accord Staples v. United States, 511 U.S. 600, 603 (1994) (observing that "[t]he AR-15 is the civilian version of the military's M-16 rifle, and is, unless modified, a semiautomatic weapon").

The State's evidence imparts that the AR-15 was developed after World War II for the U.S. military. It was designed as a selective-fire rifle — one that can be fired in either automatic mode (firing continuously as long as the trigger is depressed) or semiautomatic mode (firing one round of ammunition for each

³ By the Opinion of August 22, 2014, explaining its award of summary judgment to the State, the district court also denied the plaintiffs' motion to exclude certain of the State's expert and fact evidence. See Kolbe, 42 F. Supp. 3d at 775, 777-82. In this appeal, the plaintiffs challenge the court's evidentiary rulings. Because the court did not abuse its discretion in making the evidentiary rulings, we affirm those rulings and rely on evidence that the court properly declined to exclude. See Humphreys & Partners Architects, L.P. v. Lessard Design, Inc., 790 F.3d 532, 538 (4th Cir. 2015).

pull of the trigger and, after each round is fired, automatically loading the next). In combat-style testing conducted in 1959, it was "discovered that a 7- or even 5-man squad armed with AR-15s could do as well or better in hit-and-kill potential . . . than the traditional 11-man squad armed with M14 rifles," which were the heavier selective-fire rifles then used by soldiers in the Army. See J.A. 930.⁴ Subsequent field testing in Vietnam, in 1962, revealed the AR-15 "to be a very lethal combat weapon" that was "well-liked . . . for its size and light recoil." Id. at 968. Reports from that testing indicated that "the very high-velocity AR-15 projectiles" had caused "[a]mputations of limbs, massive body wounds, and decapitations." Id.

Within the next few years, the Department of Defense purchased more than 100,000 AR-15 rifles for the Army and the Air Force, and the military changed the name "AR-15" to "M16." By that time, the former Soviet Union was already producing the AK-47, a selective-fire rifle which, like the AR-15/M16, was developed for offensive use and has been adopted by militaries around the world. Various firearms companies have since manufactured civilian versions of the AR-15 and AK-47 that are

⁴ Citations herein to "J.A. ____" refer to the contents of the Joint Appendix filed by the parties in this appeal.

semiautomatic but otherwise retain the military features and capabilities of the fully automatic M16 and AK-47. Several other FSA-banned assault weapons are — like the AR-15 and semiautomatic AK-47 — semiautomatic versions of machineguns initially designed for military use. See, e.g., J.A. 1257 (UZI and Galil rifles); id. at 1260 (Fabrique National ("FN") assault rifles); id. at 1261 (Steyr AUG rifles).

The difference between the fully automatic and semiautomatic versions of those firearms is slight. That is, the automatic firing of all the ammunition in a large-capacity thirty-round magazine takes about two seconds, whereas a semiautomatic rifle can empty the same magazine in as little as five seconds. See, e.g., J.A. 1120 ("[S]emiautomatic weapons can be fired at rates of 300 to 500 rounds per minute, making them virtually indistinguishable in practical effect from machineguns."). Moreover, soldiers and police officers are often advised to choose and use semiautomatic fire, because it is more accurate and lethal than automatic fire in many combat and law enforcement situations.

The AR-15, semiautomatic AK-47, and other assault weapons banned by the FSA have a number of features designed to achieve their principal purpose — "killing or disabling the enemy" on the battlefield. See J.A. 735. For example, some of the banned assault weapons incorporate flash suppressors, which are

designed to help conceal a shooter's position by dispersing muzzle flash. Others possess barrel shrouds, which enable "spray-firing" by cooling the barrel and providing the shooter a "convenient grip." Id. at 1121. Additional military features include folding and telescoping stocks, pistol grips, grenade launchers, night sights, and the ability to accept bayonets and large-capacity magazines.

Several manufacturers of the banned assault weapons, in advertising them to the civilian market, tout their products' battlefield prowess. Colt's Manufacturing Company boasts that its AR-15 rifles are manufactured "based on the same military standards and specifications as the United States issue Colt M16 rifle and M4 carbine." See J.A. 1693. Bushmaster describes its Adaptive Combat Rifle as "the ultimate military combat weapons system" that is "[b]uilt specifically for law enforcement and tactical markets." Id. at 1697.

In short, like their fully automatic counterparts, the banned assault weapons "are firearms designed for the battlefield, for the soldier to be able to shoot a large number of rounds across a battlefield at a high rate of speed." See J.A. 206. Their design results in "a capability for lethality — more wounds, more serious, in more victims — far beyond that of other firearms in general, including other semiautomatic guns." Id. at 1121-22.

Correspondingly, the large-capacity magazines prohibited by the FSA allow a shooter to fire more than ten rounds without having to pause to reload, and thus "are particularly designed and most suitable for military and law enforcement applications." See J.A. 891. Such magazines are "designed to enhance" a shooter's "capacity to shoot multiple human targets very rapidly." Id. at 1151. Large-capacity magazines are a feature common, but not unique, to the banned assault weapons, many of which are capable of accepting magazines of thirty, fifty, or even 100 rounds.

With limited exceptions, M16s and other machineguns have been banned nationwide since 1986. See 18 U.S.C. § 922(o)(1) (rendering it "unlawful for any person to transfer or possess a machinegun"); 26 U.S.C. § 5845(b) (defining a "machinegun" as "any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger"). By that time, the private ownership of machineguns was substantially circumscribed as a result of heavy taxes and strict regulations imposed almost fifty years earlier by the National Firearms Act of 1934. See United States v. Miller, 307 U.S. 174 (1939) (outlining 1934 Act's requirements for transferring and registering firearms, including short-barreled shotguns and machineguns, and rejecting Second Amendment

challenge thereto). There have also been various state and local prohibitions against the receipt, possession, and transfer of machineguns.

In 1994, Congress enacted a ban on certain semiautomatic military-style weapons and magazines capable of holding more than ten rounds. The federal ban applied only to assault weapons and magazines manufactured after September 13, 1994, however, and it expired a decade later on September 13, 2004. Just months before Congress passed the 1994 federal assault weapons ban, Maryland had enacted a state law prohibiting assault pistols and the transfer of magazines with a capacity in excess of twenty rounds. The same state law regulated what the FSA now identifies as assault long guns by requiring that purchasers first complete an application and undergo a background check. Maryland replaced that law with the FSA in 2013, spurred by Newtown and other mass shootings.

Dr. Christopher Koper, a social scientist who has studied the effects of the 1994 federal assault weapons ban, explained in these proceedings that the federal ban had several features that may have limited its efficacy and that are not present in Maryland's FSA. One such feature was the federal ban's broader "grandfather" clause, rendering its prohibitions applicable solely to assault weapons and large-capacity magazines manufactured after the ban's effective date of September 13, 1994. In contrast, the FSA grandfathers only assault weapons owned prior to its effective date, and "does not allow the further sale, transfer, or receipt of those firearms." See J.A. 362. With respect to large-capacity magazines, or "LCMs," the FSA does not bar their transport into Maryland, but "is still (Continued)

The State has calculated that — accepting the plaintiffs' estimate that there were at least 8 million FSA-banned assault weapons in circulation in the United States by 2013 — those weapons comprised less than 3% of the more than 300 million firearms in this country. Moreover, premised on the plaintiffs' evidence that owners of the banned assault weapons possessed an average of 3.1 of them in 2013, the State has reckoned that less than 1% of Americans owned such a weapon that year.

At the same time, according to the State's evidence, the FSA-banned assault weapons have been used disproportionately to their ownership in mass shootings and the murders of law enforcement officers. Even more frequently, such incidents have involved large-capacity magazines. One study of sixty-two mass shootings between 1982 and 2012, for example, found that the perpetrators were armed with assault rifles in 21% of the massacres and with large-capacity magazines in 50% or more (as it was unknown to the researchers whether large-capacity magazines were involved in many of the cases). Another study

more stringent than the federal ban, which not only allowed the possession of any existing LCMs, but also: (i) the importation for sale of large stocks of LCMs from other countries; and (ii) the ongoing sale, transfer, and receipt of both existing stocks of LCMs and the newly-imported LCMs." Id. at 363. The federal assault weapons ban, in Koper's words, "did not even preclude individuals from going to the gun store around the corner to purchase a [large-capacity magazine]." Id.

determined that assault weapons, including long guns and handguns, were used in 16% of the murders of on-duty law enforcement officers in 1994, and that large-capacity magazines were used in 31% to 41% of those murders. The banned assault weapons have also been used in other crimes, including the infamous "D.C. Sniper" shootings in 2002, in which an AR-15-type Bushmaster rifle was used to kill and critically injure more than a dozen randomly selected victims, including several in Maryland.⁴

The State has emphasized that, when the banned assault weapons and large-capacity magazines are used, more shots are fired and more fatalities and injuries result than when shooters use other firearms and magazines. The banned assault weapons further pose a heightened risk to civilians in that "rounds from assault weapons have the ability to easily penetrate most materials used in standard home construction, car doors, and similar materials." See J.A. 279. Criminals armed with the banned assault weapons possess a "military-style advantage" in firefights with law enforcement officers, as such weapons "allow

⁴ Tragic events involving assault weapons continue to occur. On July 7, 2016, a shooter armed with a semiautomatic assault rifle killed five law enforcement officers and injured nine others, plus two civilians, in Dallas, Texas. Just ten days later, on July 17, 2016, another shooter armed with a semiautomatic assault rifle shot six police officers in Baton Rouge, Louisiana, killing three of them.

criminals to effectively engage law enforcement officers from great distances” and “their rounds easily pass through the soft body armor worn by most law enforcement officers.” See id. at 227, 265.

For their part, large-capacity magazines enable shooters to inflict mass casualties while depriving victims and law enforcement officers of opportunities to escape or overwhelm the shooters while they reload their weapons. Even in the hands of law-abiding citizens, large-capacity magazines are particularly dangerous. The State’s evidence demonstrates that, when inadequately trained civilians fire weapons equipped with large-capacity magazines, they tend to fire more rounds than necessary and thus endanger more bystanders.

The State has also underscored the lack of evidence that the banned assault weapons and large-capacity magazines are well-suited to self-defense. Neither the plaintiffs nor Maryland law enforcement officials could identify a single incident in which a Marylander has used a military-style rifle or shotgun, or needed to fire more than ten rounds, to protect herself. Although self-defense is a conceivable use of the banned assault weapons, the State’s evidence reflects — consistent with the Supreme Court’s Heller decision — that most individuals choose to keep other firearms for that purpose. See District of Columbia v. Heller, 554 U.S. 570, 628 (2008)

(emphasizing that handguns are "overwhelmingly chosen by American society for [self-defense]"). Moreover, the State's evidence substantiates "that it is rare for a person, when using a firearm in self-defense, to fire more than ten rounds." See J.A. 649. Studies of "armed citizen" stories collected by the National Rifle Association, covering 1997-2001 and 2011-2013, found that the average number of shots fired in self-defense was 2.2 and 2.1, respectively. Id. at 650.

In support of the FSA, the State garnered evidence showing that the prohibitions against assault weapons and large-capacity magazines will promote public safety by reducing the availability of those armaments to mass shooters and other criminals, by diminishing their especial threat to law enforcement officers, and by hindering their unintentional misuse by civilians. The State does not expect the FSA to eradicate all gun crimes and accidents, but rather to curtail those that result in more shots fired and more deaths and injuries because they are committed with military-style firearms and magazines.

The State's evidence indicates that the FSA will reduce the availability of the banned assault weapons and large-capacity magazines to criminals by "reducing their availability overall." See J.A. 228. That is because criminals usually obtain their firearms through straw purchases, by buying them on the

secondary market, or by stealing them from law-abiding persons, and most criminals "are simply not dedicated enough to a particular type of firearm or magazine to go to great lengths to acquire something that is not readily available." Id. at 232.

The State has also pointed to an important lesson learned from Newtown (where nine children were able to run from a targeted classroom while the gunman paused to change out a large-capacity thirty-round magazine), Tucson (where the shooter was finally tackled and restrained by bystanders while reloading his firearm), and Aurora (where a 100-round drum magazine was emptied without any significant break in the firing). That is, reducing the number of rounds that can be fired without reloading increases the odds that lives will be spared in a mass shooting. For example, a shooter's use of ten-round magazines — rather than those that hold thirty, fifty, or 100 rounds — would for every 100 rounds fired afford

six to nine more chances for bystanders or law enforcement to intervene during a pause in firing, six to nine more chances for something to go wrong with a magazine during a change, six to nine more chances for the shooter to have problems quickly changing a magazine under intense pressure, and six to nine more chances for potential victims to find safety during a pause in firing.

See J.A. 266. Thus, the State has justified the FSA on the ground that limiting a shooter to a ten-round magazine could

"mean the difference between life and death for many people."
Id.

2.

For their part, the plaintiffs have purported to dispute the State's evidence equating the FSA-banned assault weapons with the M16, but have not produced evidence actually demonstrating that the banned assault weapons are less dangerous than or materially distinguishable from military arms. Otherwise, the plaintiffs have emphasized the popularity of the banned assault weapons, particularly the AR-15, semiautomatic AK-47, and their copies. Those weapons are often referred to by the plaintiffs, and in their evidence, as "modern sporting rifles."

As previously mentioned, the plaintiffs have asserted that there were at least 8 million FSA-banned assault weapons in circulation in the United States by 2013. Rifles based on the AR-15 and AK-47 accounted for approximately 20% of firearm sales in the United States in 2012, and the banned assault weapons comprised between 18% and 30% of all regulated firearm transfers in Maryland in 2013. The plaintiffs' evidence reflects that, since it was first marketed to the public in 1963, "[t]he AR-15 has become the most popular civilian rifle design in America, and is made in many variations by many companies." See J.A. 2259.

The plaintiffs have also focused on the popularity of large-capacity magazines, tendering evidence that in the United States between 1990 and 2012, magazines capable of holding more than ten rounds numbered around 75 million, or 46% of all magazines owned. Most pistols are manufactured with magazines holding ten to seventeen rounds, and many popular rifles are manufactured with magazines holding twenty or thirty rounds. Firearms capable of firing more than ten rounds without reloading may have existed since the late sixteenth century, and magazines with a capacity of between ten and twenty rounds have been on the civilian market for more than a hundred years.

Individual plaintiffs Kolbe and Turner have averred that they wish to own banned assault weapons and large-capacity magazines for self-defense. The plaintiffs have more generally asserted that many owners of assault weapons cite home protection as a reason for keeping those weapons, along with other lawful purposes such as hunting and competitive marksmanship. The plaintiffs regard large-capacity magazines as

¹⁷ Prior to the en banc argument, we allowed the plaintiffs to file a supplemental appendix containing two reports published in 2015 by the National Shooting Sports Foundation (the "NSSF"), including a "Firearms Retailer Survey Report" outlining the results of an online survey of more than 500 firearms retailers across the country. Relevant to the issue of self-defense, one survey question asked: "Of your annual firearm sales [for each year from 2011 to 2014], please report the percentages you think were sold primarily for hunting, target-shooting and personal- (Continued)

especially useful for self-defense, because it is difficult for a civilian to change a magazine while under the stress of defending herself and her family from an unexpected attack. Moreover, a civilian firing rounds in self-defense will frequently miss her assailant, rendering it "of paramount importance that [she] have quick and ready access to ammunition in quantities sufficient to provide a meaningful opportunity to defend herself and/or her loved ones." See J.A. 2123.

To refute the theory that the FSA will effectuate Maryland's goal of protecting its citizens and law enforcement officers, the plaintiffs have pointed to a variety of evidence. For example, the FSA does not disallow the Colt AR-15 Sporter H-BAR rifle, which the plaintiffs' evidence suggests "could be made into a compact lightweight short-barrel AR pattern rifle identical to the restricted models" while remaining "exempted from the restrictions of the law." See J.A. 2270-71. The plaintiffs' evidence also indicates that rounds from firearms not prohibited by the FSA are capable of penetrating building materials and soft body armor; that "[t]he banned firearms are

protection purposes." See J.A. 3063. The respondents indicated that they "think" between 28.1% and 30.5% of "AR-style/modern sporting rifles" were sold primarily for personal protection. Id. The NSSF report, however, does not reveal why the respondents "think" that.

almost never used in crimes"; that, "in 2012, there was a greater probability that a person in the United States would be killed by someone strangling them than by an assault rifle in a mass shooting"; and that "[m]ore officers are killed in car accidents than with the banned firearms." See id. at 2160, 2280-81, 2371-97. Additionally, the plaintiffs have emphasized that, because the FSA does not prohibit the possession of large-capacity magazines, a criminal can legally purchase those magazines in another state and return with them to Maryland."

II.

On appeal, the plaintiffs contend that the district court erred in ruling in favor of the State on the parties' cross-motions for summary judgment. More specifically, the plaintiffs

" Further attacking Maryland's justification for the FSA, the plaintiffs have endeavored to show that the 1994 federal ban on assault weapons and large-capacity magazines was ineffective, and thus that the FSA will be a failure, too. In so doing, the plaintiffs rely on snippets from the studies of the State's expert, Dr. Koper. See supra note 5. Dr. Koper ultimately concluded, however, that — despite features of the federal ban that may have limited its efficacy (including its grandfather clause for assault weapons and large-capacity magazines manufactured prior to its effective date) — the federal ban had some success and could have had more had it remained in effect. Additionally, Dr. Koper opined that Maryland's stricter FSA has "the potential to prevent and limit shooting injuries in the state over the long-run" and thereby "advance Maryland's interest in reducing the harms caused by gun violence." See J.A. 364.

seek reversal of the adverse summary judgment award and entry of judgment in their favor. We review de novo the district court's summary judgment decision. See Libertarian Party of Va. v. Judd, 718 F.3d 308, 312 (4th Cir. 2013). With respect to each side's motion, "we are required to view the facts and all justifiable inferences arising therefrom in the light most favorable to the nonmoving party, in order to determine whether 'there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.'" Id. at 312-13 (quoting Fed. R. Civ. P. 56(a)).

III.

We begin with the plaintiffs' claims that the FSA's assault weapons ban and its prohibition against large-capacity magazines contravene the Second Amendment. According to the plaintiffs, they are entitled to summary judgment on the simple premise that the banned assault weapons and large-capacity magazines are protected by the Second Amendment and, thus, the FSA is unconstitutional per se. We conclude, to the contrary, that the banned assault weapons and large-capacity magazines are not constitutionally protected arms. Even assuming the Second Amendment reaches those weapons and magazines, however, the FSA is subject to — and readily survives — the intermediate scrutiny standard of review. Consequently, as to the Second

Amendment claims, we must affirm the district court's award of summary judgment to the State.

A.

The Second Amendment provides, "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." See U.S. Const. amend. II. In District of Columbia v. Heller, the Supreme Court recognized that the Second Amendment is divided into a prefatory clause ("A well regulated Militia, being necessary to the security of a free State, . . .") and an operative clause (" . . . the right of the people to keep and bear Arms, shall not be infringed."). See 554 U.S. 570, 577 (2008). The Heller majority rejected the proposition that, because of its prefatory clause, the Second Amendment "protects only the right to possess and carry a firearm in connection with militia service." Id. Rather, the Court determined that, by its operative clause, the Second Amendment guarantees "the individual right to possess and carry weapons in case of confrontation." Id. at 592. The Court also explained that the operative clause "fits perfectly" with the prefatory clause, in that creating the individual right to keep and bear arms served to preserve the militia that consisted of self-armed citizens at the time of the Second Amendment's ratification. Id. at 598.

The Second Amendment's "core protection," the Heller Court announced, is "the right of law-abiding, responsible citizens to use arms in defense of hearth and home." See 554 U.S. at 634-35. Concomitantly, the Court emphasized that "the right secured by the Second Amendment is not unlimited," in that it is "not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose." Id. at 626. The Court cautioned, for example, that it was not "cast[ing] doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms." Id.

Of utmost significance here, the Heller Court recognized that "another important limitation on the right to keep and carry arms" is that the right "extends only to certain types of weapons." See 554 U.S. at 623, 627 (discussing United States v. Miller, 307 U.S. 174 (1939)). The Court explained that "the Second Amendment does not protect those weapons not typically possessed by law-abiding citizens for lawful purposes," including "short-barreled shotguns" and "machineguns." Id. at 624-25. The Court elsewhere described "the sorts of weapons protected" as being "those in common use at the time," and observed that such "limitation is fairly supported by the

historical tradition of prohibiting the carrying of dangerous and unusual weapons." Id. at 627 (internal quotation marks omitted) (citing, inter alia, 4 Blackstone 148-49 (1769)).

Continuing on, the Heller Court specified that "weapons that are most useful in military service — M-16 rifles and the like — may be banned" without infringement upon the Second Amendment right. See 554 U.S. at 627. The Court recognized that the lack of constitutional protection for today's military weapons might inspire the argument that "the Second Amendment right is completely detached from the prefatory clause." Id. The Court explained, however, that the fit between the prefatory and operative clauses is properly measured "at the time of the Second Amendment's ratification," when "the conception of the militia . . . was the body of all citizens capable of military service, who would bring the sorts of lawful weapons that they possessed at home to militia duty." Id. The fit is not measured today, when a militia may "require sophisticated arms that are highly unusual in society at large," including arms that "could be useful against modern-day bombers and tanks." Id. It was therefore immaterial to the Court's interpretation

* Although the Heller Court invoked Blackstone for the proposition that "dangerous and unusual" weapons have historically been prohibited, Blackstone referred to the crime of carrying "dangerous or unusual weapons." See 4 Blackstone 148-49 (1769) (emphasis added).

of the Second Amendment that "modern developments have limited the degree of fit between the prefatory clause and the protected right." Id. at 627-28. And thus, there was simply no inconsistency between the Court's interpretation of the Second Amendment and its pronouncement that some of today's weapons lack constitutional protection precisely because they "are most useful in military service."

Deciding the particular Second Amendment issues before it, the Heller Court deemed the District of Columbia's prohibition against the possession of handguns in the home to be unconstitutional. See 554 U.S. at 628-29. Without identifying and utilizing a particular standard for its review, the Court concluded that, "[u]nder any of the standards of scrutiny that we have applied to enumerated constitutional rights, banning from the home the most preferred firearm in the nation to keep and use for protection of one's home and family would fail constitutional muster." Id. (footnote and internal quotation marks omitted).

The Heller Court clearly was concerned that the District of Columbia's ban extended "to the home, where the need for defense of self, family, and property is most acute." See 554 U.S. at 628. Significantly, however, the Court also was troubled by the particular type of weapon prohibited — handguns. Indeed, the Court repeatedly made comments underscoring the status of

handguns as "the most preferred firearm in the nation to keep and use for protection of one's home and family," including the following:

- "The handgun ban amounts to a prohibition of an entire class of arms that is overwhelmingly chosen by American society for [the] lawful purpose [of self-defense]";
- "It is no answer to say . . . that it is permissible to ban the possession of handguns so long as the possession of other firearms (i.e., long guns) is allowed. It is enough to note . . . that the American people have considered the handgun to be the quintessential self-defense weapon"; and,
- "Whatever the reason, handguns are the most popular weapon chosen by Americans for self-defense in the home, and a complete prohibition of their use is invalid."

See id. at 628-29 (internal quotation marks omitted).

As explained therein, the Heller decision was not intended "to clarify the entire field" of Second Amendment jurisprudence. See 554 U.S. at 635. Since then, the Supreme Court decided in McDonald v. City of Chicago "that the Second Amendment right is fully applicable to the States," but did not otherwise amplify Heller's analysis. See 561 U.S. 742, 750 (2010). Just recently, in Caetano v. Massachusetts, the Court reiterated two points made by Heller: first, "that the Second Amendment 'extends . . . to . . . arms . . . that were not in existence at the time of the founding'"; and, second, that there is no merit to "the proposition 'that only those weapons useful in warfare

are protected.’” See Caetano, 136 S. Ct. 1027, 1028 (2016) (per curiam) (alterations in original) (quoting Heller, 554 U.S. at 582, 624-25) (remanding for further consideration of whether Second Amendment protects stun guns).

The lower courts have grappled with Heller in a variety of Second Amendment cases. Like most of our sister courts of appeals, we have concluded that “a two-part approach to Second Amendment claims seems appropriate under Heller.” See United States v. Chester, 628 F.3d 673, 680 (4th Cir. 2010) (citing United States v. Marzzarella, 614 F.3d 85, 89 (3d Cir. 2010)); see also N.Y. State Rifle & Pistol Ass’n v. Cuomo, 804 F.3d 242, 254 (2d Cir. 2015); GeorgiaCarry.Org, Inc. v. U.S. Army Corps of Eng’rs, 788 F.3d 1318, 1322 (11th Cir. 2015); United States v. Chovan, 735 F.3d 1127, 1136 (9th Cir. 2013); Nat’l Rifle Ass’n of Am., Inc. v. Bureau of Alcohol, Tobacco, Firearms & Explosives, 700 F.3d 185, 194 (5th Cir. 2012); United States v. Greeno, 679 F.3d 510, 518 (6th Cir. 2012); Heller v. District of Columbia, 670 F.3d 1244, 1252 (D.C. Cir. 2011) (“Heller II”); Ezell v. City of Chicago, 651 F.3d 684, 703-04 (7th Cir. 2011); United States v. Reese, 627 F.3d 792, 800-01 (10th Cir. 2010).

Pursuant to that two-part approach, we first ask “whether the challenged law imposes a burden on conduct falling within the scope of the Second Amendment’s guarantee.” See Chester, 628 F.3d at 680 (internal quotation marks omitted). If the

answer is no, "then the challenged law is valid." Id. If, however, the challenged law imposes a burden on conduct protected by the Second Amendment, we next "apply[] an appropriate form of means-end scrutiny." Id. Because "Heller left open the level of scrutiny applicable to review a law that burdens conduct protected under the Second Amendment, other than to indicate that rational-basis review would not apply in this context," we must "select between strict scrutiny and intermediate scrutiny." Id. at 682. In pinpointing the applicable standard of review, we may "look[] to the First Amendment as a guide." Id. With respect to a claim made pursuant to the First or the Second Amendment, "the level of scrutiny we apply depends on the nature of the conduct being regulated and the degree to which the challenged law burdens the right." Id.

To satisfy strict scrutiny, the government must prove that the challenged law is "narrowly tailored to achieve a compelling governmental interest." See Abrams v. Johnson, 521 U.S. 74, 82 (1997). Strict scrutiny is thereby "the most demanding test known to constitutional law." See City of Boerne v. Flores, 521 U.S. 507, 534 (1997). The less onerous standard of intermediate scrutiny requires the government to show that the challenged law "is reasonably adapted to a substantial governmental interest." See United States v. Masciandaro, 638 F.3d 458, 471 (4th Cir.

2011); see also Chester, 628 F.3d at 683 (“[T]he government must demonstrate under the intermediate scrutiny standard that there is a reasonable fit between the challenged regulation and a substantial governmental objective.” (internal quotation marks omitted)). Intermediate scrutiny does not demand that the challenged law “be the least intrusive means of achieving the relevant government objective, or that there be no burden whatsoever on the individual right in question.” See Masciandaro, 638 F.3d at 474. In other words, there must be “a fit that is ‘reasonable, not perfect.’” See Woollard v. Gallagher, 712 F.3d 865, 878 (4th Cir. 2013) (quoting United States v. Carter, 669 F.3d 411, 417 (4th Cir. 2012)).

Until this Second Amendment challenge to the FSA’s bans on assault weapons and large-capacity magazines, we have not had occasion to identify the standard of review applicable to a law that bars law-abiding citizens from possessing arms in their homes. In Masciandaro, we “assume[d] that any law that would burden the ‘fundamental,’ core right of self-defense in the home by a law-abiding citizen would be subject to strict scrutiny.” See 638 F.3d at 470. Thereafter, in Woollard, we noted that Masciandaro had “‘assume[d]’” any inside-the-home regulation would be subject to strict scrutiny, and we described the plaintiff’s related — and unsuccessful — contention that “the right to arm oneself in public [is] on equal footing with the

right to arm oneself at home, necessitating that we apply strict scrutiny in our review of [an outside-the-home regulation].” See Woollard, 712 F.3d at 876, 878 (4th Cir. 2013) (quoting Masciandaro, 638 F.3d at 470). Notably, however, neither Masciandaro nor Woollard purported to, or had reason to, decide whether strict scrutiny always, or even ever, applies to laws burdening the right of self-defense in the home. See also, e.g., United States v. Hosford, 843 F.3d 161, 168 (4th Cir. 2016) (declining to apply strict scrutiny to a firearms prohibition that “addresses only conduct occurring outside the home,” without deciding if or when strict scrutiny applies to a law reaching inside the home).

B.

Guided by our two-part approach to Second Amendment claims, but lacking precedent of this Court or the Supreme Court examining the constitutionality of a law substantively similar to the FSA, the district court began its analysis by questioning whether the banned assault weapons and large-capacity magazines are protected by the Second Amendment. Addressing assault weapons in particular, the Opinion disclosed the court’s “inclination to find the weapons fall outside Second Amendment protection as dangerous and unusual,” based on “serious[] doubts that [they] are commonly possessed for lawful purposes, particularly self-defense in the home.” See Kolbe v. O’Malley,

42 F. Supp. 3d 768, 788 (D. Md. 2014). The Opinion further observed that, “[g]iven that assault rifles like the AR-15 are essentially the functional equivalent of M-16s — and arguably more effective — the [reasoning of Heller that M-16s could be banned as dangerous and unusual] would seem to apply here.” Id. at 789 n.29 (citing Heller, 554 U.S. at 627).

Ultimately, however, the district court elected to assume that the banned assault weapons and large-capacity magazines are constitutionally protected, and thus that the FSA “places some burden on the Second Amendment right.” See Kolbe, 42 F. Supp. 3d at 789. The Opinion then identified intermediate scrutiny as the appropriate standard of review, because the FSA “does not seriously impact a person’s ability to defend himself in the home.” Id. at 790. In so ruling, the court recognized that the FSA “does not ban the quintessential weapon — the handgun — used for self-defense in the home” or “prevent an individual from keeping a suitable weapon for protection in the home.” Id. at 790. Finally, applying the intermediate scrutiny standard, the Opinion recognized that the State of Maryland possesses an interest that is not just substantial — but compelling — “in providing for public safety and preventing crime.” Id. at 792. A reasonable fit between that interest and the FSA was shown, according to the Opinion, by evidence of the heightened risks that the banned assault weapons and large-capacity magazines

pose to civilians and law enforcement officers. See id. at 793-97. Accordingly, the district court concluded that the FSA “does not violate the Second Amendment.” Id. at 797.

In its analysis, the district court relied in part on the 2011 decision of the District of Columbia Circuit in Heller II. The Heller II court assumed that the District’s prohibitions against military-style assault rifles and large-capacity magazines impinge upon the Second Amendment right and then upheld the bans under the intermediate scrutiny standard. See 670 F.3d at 1261-64. After the district court issued its Opinion, statewide bans on the AR-15 and semiautomatic AK-47, other assault weapons, and large-capacity magazines in New York and Connecticut were similarly sustained by the Second Circuit’s 2015 decision in N.Y. State Rifle & Pistol Ass’n. There, the court of appeals proceeded “on the assumption that [the challenged] laws ban weapons protected by the Second Amendment”; determined “that intermediate, rather than strict, scrutiny is appropriate”; and concluded “that New York and Connecticut have adequately established a substantial relationship between the prohibition of both semiautomatic assault weapons and large-capacity magazines and the important — indeed, compelling — state interest in controlling crime.” See N.Y. State Rifle & Pistol Ass’n, 804 F.3d at 257, 260, 264. The Supreme Court recently denied the Connecticut plaintiffs’ petition for a writ

of certiorari in that matter. See Shew v. Malloy, 136 S. Ct. 2486 (2016).

In the time period between Heller II and N.Y. State Rifle & Pistol Ass'n, two other courts of appeals refused to enjoin or strike down bans on assault weapons or large-capacity magazines. Affirming the denial of a preliminary injunction in Fyock v. City of Sunnyvale, the Ninth Circuit concluded that the district court neither "clearly err[ed] in finding, based on the record before it, that a regulation restricting possession of [large-capacity magazines] burdens conduct falling within the scope of the Second Amendment," nor "abused its discretion by applying intermediate scrutiny or by finding that [the regulation] survived intermediate scrutiny." See 779 F.3d 991, 998-99 (9th Cir. 2015). Thereafter, in Friedman v. City of Highland Park, the Seventh Circuit upheld prohibitions against assault weapons and large-capacity magazines, albeit without applying either intermediate or strict scrutiny. Under Friedman's reasoning, "instead of trying to decide what 'level' of scrutiny applies, and how it works," it is more suitable "to ask whether a regulation bans weapons that were common at the time of ratification or those that have some reasonable relationship to the preservation or efficiency of a well regulated militia, and whether law-abiding citizens retain adequate means of self-

defense.” See 784 F.3d 406, 410 (7th Cir.) (internal quotation marks omitted), cert. denied, 136 S. Ct. 447 (2015).

C.

We could resolve the Second Amendment aspects of this appeal by adopting the district court’s sound analysis and thereby follow the lead of our distinguished colleagues on the Second and District of Columbia Circuits. That is, we could simply assume that the assault weapons and large-capacity magazines outlawed in Maryland are protected by the Second Amendment and then deem the FSA constitutional under the intermediate scrutiny standard of review. It is more appropriate, however, in light of the dissent’s view that such constitutional protection exists, that we first acknowledge what the Supreme Court’s Heller decision makes clear: Because the banned assault weapons and large-capacity magazines are “like” “M-16 rifles” — “weapons that are most useful in military service” — they are among those arms that the Second Amendment does not shield. See Heller, 554 U.S. at 627 (recognizing that “M-16 rifles and the like” are not constitutionally protected).

1.

On the issue of whether the banned assault weapons and large-capacity magazines are protected by the Second Amendment, the Heller decision raises various questions. Those include: How many assault weapons and large-capacity magazines must there

be to consider them "in common use at the time"? In resolving that issue, should we focus on how many assault weapons and large-capacity magazines are owned; or on how many owners there are; or on how many of the weapons and magazines are merely in circulation? Do we count the weapons and magazines in Maryland only, or in all of the United States? Is being "in common use at the time" coextensive with being "typically possessed by law-abiding citizens for lawful purposes"? Must the assault weapons and large-capacity magazines be possessed for any "lawful purpose[]" or, more particularly and importantly, the "protection of one's home and family"? Is not being "in common use at the time" the same as being "dangerous and unusual"? Is the standard "dangerous and unusual," or is it actually "dangerous or unusual"? See Heller, 554 U.S. at 625, 627, 629; see also N.Y. State Rifle & Pistol Ass'n, 804 F.3d at 254-57; Friedman, 784 F.3d at 408-10; Fyock, 779 F.3d at 997-98; Heller II, 670 F.3d at 1260-61.

Thankfully, however, we need not answer all those difficult questions today, because Heller also presents us with a dispositive and relatively easy inquiry: Are the banned assault weapons and large-capacity magazines "like" "M-16 rifles," i.e., "weapons that are most useful in military service," and thus outside the ambit of the Second Amendment? See 554 U.S. at 627.

The answer to that dispositive and relatively easy inquiry is plainly in the affirmative.¹³

Simply put, AR-15-type rifles are "like" M16 rifles under any standard definition of that term. See, e.g., Webster's New International Dictionary 1431 (2d ed. 1948) (defining "like" as "[h]aving the same, or nearly the same, appearance, qualities, or characteristics; similar"); The New Oxford American Dictionary 982 (2d ed. 2005) (defining "like" as "having the same characteristics or qualities as; similar to"). Although an

Our ruling on Second Amendment protection is in line with the State's argument that — because the banned assault weapons and large-capacity magazines are "like" "M-16 rifles" and "most useful in military service" — they are "dangerous and unusual weapons" that are beyond the Second Amendment's reach. See Heller, 554 U.S. at 627; see also Br. of Appellees at 2-4, 16-23; Defs.' Mem. in Supp. of Summ. J. at 3-10, 32-37, Kolbe v. O'Malley, No. 1:13-cv-02841 (D. Md. Feb. 14, 2014), ECF No. 44. We find it unnecessary under Heller, however, to include the term "dangerous and unusual weapons" in the relevant inquiry. That is because the Heller Court plainly pronounced that "weapons that are most useful in military service — M-16 rifles and the like — may be banned" without infringement upon the Second Amendment right. See 554 U.S. at 627. Meanwhile, although the Heller Court suggested that those particular weapons are "dangerous and unusual," the Court did not elaborate on what being "dangerous and unusual" entails. Id. In these circumstances, we deem it prudent and appropriate to simply rely on the Court's clear pronouncement that there is no constitutional protection for weapons that are "like" "M-16 rifles" and "most useful in military service," without needlessly endeavoring to define the parameters of "dangerous and unusual weapons." Questions about that term and the phrases "in common use at the time" and "typically possessed by law-abiding citizens for lawful purposes" are best left for cases involving other sorts of weapons, such as the stun guns at issue in Caetano.

M16 rifle is capable of fully automatic fire and the AR-15 is limited to semiautomatic fire, their rates of fire (two seconds and as little as five seconds, respectively, to empty a thirty-round magazine) are nearly identical. Moreover, in many situations, the semiautomatic fire of an AR-15 is more accurate and lethal than the automatic fire of an M16. Otherwise, the AR-15 shares the military features — the very qualities and characteristics — that make the M16 a devastating and lethal weapon of war.

In any event, we need not rely solely on dictionary definitions, because Heller itself expounds on what it means to be “like” the M16. As the plaintiffs would have it, Heller drew a “bright line” between fully automatic and semiautomatic firearms, and thus the AR-15 cannot be considered “like” the M16 for purposes of the Second Amendment. That contention is baseless, however, because Heller did not restrict the meaning of “M-16 rifles and the like” to only fully automatic weapons. Rather, Heller described “M-16 rifles and the like” more broadly, specifically identifying them as being those “weapons that are most useful in military service.” Therefore, we identify the line that Heller drew as not being between fully

automatic and semiautomatic firearms, but between weapons that are most useful in military service and those that are not.”

Whatever their other potential uses — including self-defense — the AR-15, other assault weapons, and large-capacity magazines prohibited by the FSA are unquestionably most useful in military service. That is, the banned assault weapons are designed to “kill[] or disabl[e] the enemy” on the battlefield. See J.A. 735. The very features that qualify a firearm as a banned assault weapon — such as flash suppressors, barrel shrouds, folding and telescoping stocks, pistol grips, grenade launchers, night sights, and the ability to accept bayonets and large-capacity magazines — “serve specific, combat-functional ends.” See id. at 1120. And, “[t]he net effect of these

“ As further support for the Supreme Court’s purported line between fully automatic and semiautomatic firearms, the plaintiffs rely on Staples v. United States, 511 U.S. 600 (1994). There, the Court invalidated Staples’s conviction for failing to register a machinegun, because the government had not been required to prove that Staples knew his AR-15 had been modified to be capable of fully automatic fire. In explaining its decision, the Court noted that AR-15s “traditionally have been widely accepted as lawful possessions” in this country. See Staples, 511 U.S. at 612. That statement might be pertinent to this dispute if the State were arguing that the FSA is a “longstanding prohibition[]” against assault weapons and thus presumptively valid. See Heller, 554 U.S. at 626 (cautioning that “nothing in our opinion should be taken to cast doubt on [certain] longstanding prohibitions”). But the issue actually before us is one that the Staples Court did not address: Whether, because of its likeness to the M16 rifle, the AR-15 lacks Second Amendment protection.

military combat features is a capability for lethality — more wounds, more serious, in more victims — far beyond that of other firearms in general, including other semiautomatic guns.” Id. at 1121-22.

Likewise, the banned large-capacity magazines “are particularly designed and most suitable for military and law enforcement applications.” See J.A. 891 (noting that large-capacity magazines are meant to “provide[] soldiers with a large ammunition supply and the ability to reload rapidly”). Large-capacity magazines enable a shooter to hit “multiple human targets very rapidly”; “contribute to the unique function of any assault weapon to deliver extraordinary firepower”; and are a “uniquely military feature[]” of both the banned assault weapons and other firearms to which they may be attached. See id. at 1151.

Because the banned assault weapons and large-capacity magazines are clearly most useful in military service, we are compelled by Heller to recognize that those weapons and magazines are not constitutionally protected. On that basis, we affirm the district court’s award of summary judgment in favor

of the State with respect to the plaintiffs' Second Amendment claims.⁴⁴

2.

In the alternative, assuming that the assault weapons and large-capacity magazines prohibited by the FSA are somehow entitled to Second Amendment protection, we conclude that the district court properly upheld the FSA as constitutional under the intermediate scrutiny standard of review.

a.

First of all, intermediate scrutiny is the appropriate standard because the FSA does not severely burden the core protection of the Second Amendment, i.e., the right of law-abiding, responsible citizens to use arms for self-defense in the home. See N.Y. State Rifle & Pistol Ass'n, 804 F.3d at 260 ("Heightened scrutiny need not . . . be akin to strict scrutiny when a law burdens the Second Amendment — particularly when that burden does not constrain the Amendment's core area of

⁴⁴ In light of our ruling today, we need not reach the State's alternative contention that large-capacity magazines lack constitutional protection because they are not "arms" within the meaning of the Second Amendment. See Heller, 554 U.S. at 582 (observing that the Second Amendment extends to "bearable arms"); Br. of Appellees at 26 ("A large-capacity detachable magazine is not an 'arm' Indeed, large-capacity magazines are not even ammunition, but instead are devices used for feeding ammunition into firearms that can easily be switched out for other devices that are of lower capacity").

protection.” (internal quotation marks omitted)); Chester, 628 F.3d at 682 (“A severe burden on the core Second Amendment right of armed self-defense should require strong justification. But less severe burdens on the right . . . may be more easily justified.” (quoting United States v. Skoien, 587 F.3d 803, 813-14 (7th Cir. 2009), rev’d en banc, 614 F.3d 638 (7th Cir. 2010))).

The FSA bans only certain military-style weapons and detachable magazines, leaving citizens free to protect themselves with a plethora of other firearms and ammunition. Those include magazines holding ten or fewer rounds, nonautomatic and some semiautomatic long guns, and — most importantly — handguns. The handgun, of course, is “the quintessential self-defense weapon.” See Heller, 554 U.S. at 629. In contrast, there is scant evidence in the record before us that the FSA-banned assault weapons and large-capacity magazines are possessed, or even suitable, for self-protection. See Kolbe, 42 F. Supp. 3d at 791 (observing that, although the FSA prohibits “a class of weapons that the plaintiffs desire to use for self-defense in the home, there is no evidence demonstrating their removal will significantly impact the core protection of the Second Amendment” (emphasis and citation omitted))).

Notably, the plaintiffs invoke the district court's passing reference to "a class of weapons" in an effort to frame the AR-15 and other FSA-banned assault weapons as a "class" entitled to the same treatment afforded handguns in Heller. See Heller, 554 U.S. at 628 (deeming the District of Columbia's handgun ban to be unconstitutional because it prohibited "an entire class of arms that is overwhelmingly chosen by American society for [self-defense]" (internal quotation marks omitted)). The initial weakness in the plaintiffs' theory is that the banned assault weapons cannot fairly be said to be a "class" like that encompassing all handguns, in that the banned assault weapons are just some of the semiautomatic rifles and shotguns in existence. Accord N.Y. State Rifle & Pistol Ass'n, 804 F.3d at 260 (explaining that "New York and Connecticut have not banned an entire class of arms," but rather "only a limited subset of semiautomatic firearms, which contain one or more enumerated military-style features").

The more critical flaw in the plaintiffs' theory is that it ignores the status of handguns as not merely "an entire class of arms," but as "an entire class of arms that is overwhelmingly chosen by American society for [self-defense]." See Heller, 554 U.S. at 628 (emphasis added) (internal quotation marks omitted). As the Third Circuit recently explained, "Heller gives special consideration to the District of Columbia's categorical ban on

handguns because they 'are the most popular weapon chosen by Americans for self-defense in the home.' This does not mean that a categorical ban on any particular type of bearable arm is unconstitutional." See United States v. One (1) Palmetto State Armory PA-15 Machinegun Receiver/Frame, Unknown Caliber Serial No.: LW001804, 822 F.3d 136, 144 (3d Cir. 2016) (quoting Heller, 554 U.S. at 629).

At bottom, the FSA's prohibitions against assault weapons and large-capacity magazines simply do "not effectively disarm individuals or substantially affect their ability to defend themselves." See N.Y. State Rifle & Pistol Ass'n, 804 F.3d at 260 (quoting Heller II, 670 F.3d at 1262). Nor can the FSA be compared to the handgun ban struck down as unconstitutional in Heller. Hence, assuming the Second Amendment protects the FSA-banned assault weapons and large-capacity magazines, the FSA is subject to the intermediate scrutiny standard of review.

b.

Turning to the application of intermediate scrutiny, the FSA survives such review because its prohibitions against assault weapons and large-capacity magazines are — as they must be — "reasonably adapted to a substantial governmental interest." See Masciandaro, 638 F.3d at 471. To be sure, Maryland's interest in the protection of its citizenry and the public safety is not only substantial, but compelling. See id.

at 473 (noting that, "[a]llthough the government's interest need not be 'compelling' under intermediate scrutiny, cases have sometimes described the government's interest in public safety in that fashion" (citing cases)).

The plaintiffs have acknowledged that Maryland has a compelling interest in protecting the public, but argue that such purpose cannot be advanced by the FSA. In support, the plaintiffs have pointed to evidence that non-banned firearms have some of the same attributes as the FSA-banned assault weapons, including the capability to penetrate building materials and soft body armor; that the banned assault weapons are used in few crimes, especially compared to handguns; and that the FSA will not prevent criminals from obtaining the banned assault weapons and large-capacity magazines from other states.¹²

For its part, the State contends that there is a reasonable fit between the FSA and Maryland's interest in public safety. The State emphasizes the military-style features of the banned

¹² The plaintiffs also assert that the purported failure of the 1994 federal assault weapons ban demonstrates that the FSA cannot advance Maryland's interest in public safety. As previously explained, see supra note 8, the premise of the plaintiffs' assertion — that the federal ban was wholly ineffective — is not supported by the record. Moreover, the plaintiffs ignore differences between the federal ban and the FSA that strengthen the potential efficacy of the FSA's prohibitions.

assault weapons and large-capacity magazines that render them particularly attractive to mass shooters and other criminals, including those targeting police. The same military-style features pose heightened risks to innocent civilians and law enforcement officers — certainly because of the capability to penetrate building materials and soft body armor, but also because of an amalgam of other capabilities that allow a shooter to cause mass devastation in a very short amount of time.

Upholding the prohibitions against assault weapons and large-capacity magazines in New York and Connecticut, the Second Circuit summarized that,

[a]t least since the enactment of the federal assault-weapons ban, semiautomatic assault weapons have been understood to pose unusual risks. When used, these weapons tend to result in more numerous wounds, more serious wounds, and more victims. These weapons are disproportionately used in crime, and particularly in criminal mass shootings like the attack in Newtown. They are also disproportionately used to kill law enforcement officers.

See N.Y. State Rifle & Pistol Ass'n, 804 F.3d at 262 (footnotes omitted); see also id. at 263 (“The record evidence suggests that large-capacity magazines may present even greater dangers to crime and violence than assault weapons alone, in part because they are more prevalent and can be and are used in both assault weapons and non-assault weapons.” (footnote, alteration, and internal quotation marks omitted)).

Although the plaintiffs fault the FSA for not targeting the firearms most used in crime and for not thereby promising to reduce gun crimes in Maryland overall, that is not the FSA's purpose. Rather, as the State has described it, the primary goal of the FSA "is to reduce the availability of assault long guns and large-capacity magazines so that when a criminal acts, he does so with a less dangerous weapon and less severe consequences." See Br. of Appellees 42. Another objective is to prevent the unintentional misuse of assault weapons and large-capacity magazines by otherwise law-abiding citizens. Maryland relied on evidence that, by reducing the availability of such weapons and magazines overall, the FSA will curtail their availability to criminals and lessen their use in mass shootings, other crimes, and firearms accidents.

The judgment made by the General Assembly of Maryland in enacting the FSA is precisely the type of judgment that legislatures are allowed to make without second-guessing by a court. That is, "[i]t is the legislature's job, not ours, to weigh conflicting evidence and make policy judgments." See Woollard, 712 F.3d at 881 (quoting Kachalsky v. Cty. of Westchester, 701 F.3d 81, 99 (2d Cir. 2012)). And, "we must 'accord substantial deference to the predictive judgments of [the legislature].'" See Satellite Broad. & Commc'ns Ass'n v. FCC, 275 F.3d 337, 356 (4th Cir. 2001) (quoting Turner Broad.

Sys., Inc. v. FCC, 512 U.S. 622, 666 (1994) ("Turner I"). Our obligation is simply "to assure that, in formulating its judgments, [the legislature] has drawn reasonable inferences based on substantial evidence." See Turner I, 512 U.S. at 666; accord Turner Broad. Sys., Inc. v. FCC, 520 U.S. 180, 195 (1997) ("Turner II").¹⁴

Being satisfied that there is substantial evidence indicating that the FSA's prohibitions against assault weapons and large-capacity magazines will advance Maryland's goals, we conclude that the FSA survives intermediate scrutiny. Simply put, the State has shown all that is required: a reasonable, if not perfect, fit between the FSA and Maryland's interest in protecting public safety. That is our alternative basis for affirming the district court's award of summary judgment in favor of the State with respect to the plaintiffs' Second Amendment claims.

¹⁴ The plaintiffs contend that, under Turner I, Turner II, and subsequent decisions of the courts of appeals, the evidence on which the General Assembly of Maryland relied at the time of the FSA's enactment cannot be deemed "substantial" because the legislative record was too sparse and the State only later amassed evidence for this litigation. We disagree on the grounds that there was ample evidence in the legislative record, and that, in any event, it was appropriate for the State to supplement that evidence in these proceedings. See, e.g., Satellite Broad. & Commc'ns Ass'n, 275 F.3d at 357 ("We may . . . look to evidence outside the legislative record in order to confirm the reasonableness of [the legislature's] predictions.").

D.

We are confident that our approach here is entirely faithful to the Heller decision and appropriately protective of the core Second Amendment right. In contrast, our dissenting colleagues would expand that constitutional protection to even exceptionally lethal weapons of war and then decree that strict scrutiny is applicable to any prohibition against the possession of those or other protected weapons in the home. At bottom, the dissent concludes that the so-called popularity of the banned assault weapons — which were owned by less than 1% of Americans as recently as 2013 — inhibits any efforts by the other 99% to stop those weapons from being used again and again to perpetrate mass slaughters. We simply cannot agree.

1.

To start with, the dissent would extend Second Amendment protection to each and every weapon deemed sufficiently popular — no matter how violent or dangerous that weapon is. See post at 89-107 (Traxler, J., dissenting). Therefore, it is somehow of immense significance to the dissent that, “in 2012, the number of AR- and AK- style weapons manufactured and imported into the United States was more than double the number of the most commonly sold vehicle in the U.S., the Ford F-150.” Id. at 92 (internal quotation marks omitted). And, it is entirely an irrelevance if “some court concludes [an AR-15 or other banned

weapon] has militarily useful features or is too dangerous for civilians to possess." Id. at 102.

Under the dissent's popularity test, whether an arm is constitutionally protected depends not on the extent of its dangerousness, but on how widely it is circulated to law-abiding citizens by the time a bar on its private possession has been enacted and challenged. Consider, for example, short-barreled shotguns and machineguns. But for the statutes that have long circumscribed their possession, they too could be sufficiently popular to find safe haven in the Second Amendment. Consider further a state-of-the-art and extraordinarily lethal new weapon. That new weapon would need only be flooded on the market prior to any governmental prohibition in order to ensure it constitutional protection.

As the dissent points out, the same concerns about the popularity test were raised by Justice Breyer in his four-justice Heller dissent. See post at 91 (citing Heller, 554 U.S. at 720-21 (Breyer, J., dissenting)). In our dissenting colleagues' view, "the Heller majority was obviously unmoved by [Justice Breyer's dissent]," thus indicating that Heller adopted the popularity test. Id. Actually, however, Justice Breyer simply expressed that it was not "at all clear to [him] how the majority decides which loaded 'arms' a homeowner may keep," and then he explained why popularity is not a standard that makes

sense. See Heller, 554 U.S. at 720-21 (Breyer, J., dissenting).¹³

Meanwhile, the Heller majority said nothing to confirm that it was sponsoring the popularity test. Nevertheless, our dissenting colleagues also claim support for the popularity test from the recent two-justice concurring opinion in Caetano, which propounded that, under Heller, "the relative dangerousness of a weapon is irrelevant when the weapon belongs to a class of arms commonly used for lawful purposes." See Caetano, 136 S. Ct. at 1031 (Alito, J., concurring in the judgment). Of course, that reading of Heller failed to garner a Court majority in Caetano.

We reject the interpretation of Heller embraced by our dissenting colleagues because it is incompatible with Heller's clear and dispositive pronouncement: There is no Second Amendment protection for "M-16 rifles and the like," i.e., "weapons that are most useful in military service." See 554

¹³ Justice Breyer's dissent explained that, under the popularity test, "the majority determines what regulations are permissible by looking to see what existing regulations permit," although "[t]here is no basis for believing that the Framers intended such circular reasoning." See Heller, 554 U.S. at 721 (Breyer, J., dissenting). The popularity test also has been characterized as "circular" by the Seventh Circuit, which concluded that "it would be absurd to say that the reason why a particular weapon can be banned is that there is a statute banning it, so that it isn't commonly owned. A law's existence can't be the source of its own constitutional validity." See Friedman, 784 F.3d at 409.

U.S. at 627. It would be incongruous to say that Heller makes an exception for such weapons if they are sufficiently popular. That is, although we do not endeavor today to resolve the difficult questions raised by Heller concerning the interplay of "in common use at the time," "typically possessed by law-abiding citizens for lawful purposes," and "dangerous and unusual," see id. at 625, 627, we are entirely convinced that the correct answers to such inquiries cannot and do not culminate in the dissent's popularity test.¹⁴

In seeking to impugn our ruling on Second Amendment protection, the dissent accuses the en banc majority of a laundry list of misfeasance. That list includes improperly conjuring up "a heretofore unknown 'test'" of "whether the firearm in question is 'most useful in military service'"; flouting "basic fairness" by neither affording an opportunity to the parties (particularly the plaintiffs) "to squarely meet the

¹⁴ We must also reject the dissent's theory that, consistent with the popularity test, the Heller Court could categorically exclude "weapons that are most useful in military service" from Second Amendment protection, because no such weapon is typically possessed by law-abiding citizens today. See post at 98-99. The dissent specifically identifies "Gatling guns, mortars, bazookas, etc." and asserts that "no one could claim these items were ever commonly possessed for Second Amendment purposes." Id. at 99. But the dissent's list of militarily useful weapons makes a critical omission: the very assault weapons and large-capacity magazines that the dissent insists satisfy the popularity test.

issue" nor remanding for the district court to address the issue in the first instance; employing our own "military opinion" to conclude that the assault weapons and large-capacity magazines prohibited by Maryland's FSA are not constitutionally protected; and "abandon[ing] the summary judgment standard and reach[ing] a conclusion based on facts viewed in the light most favorable to the State." See post at 96-97 & nn.4-5.

With all respect, those accusations are entirely unfounded. Although our ruling on Second Amendment protection may seem novel in some quarters, it is solidly predicated on the plain language of Heller and was raised and argued by the State in both the district court proceedings and this appeal. See supra note 10. Specifically, the State has consistently asserted that — because the banned assault weapons and large-capacity magazines are "like" "M-16 rifles" and "most useful in military service" — they are "dangerous and unusual weapons" beyond the reach of the Second Amendment. See Heller, 554 U.S. at 627; see also Br. of Appellees at 2-4, 16-23; Defs.' Mem. in Supp. of Summ. J. at 3-10, 32-37, Kolbe v. O'Malley, No. 1:13-cv-02841 (D. Md. Feb. 14, 2014), ECF No. 44. That very argument was acknowledged and discussed both in the district court's Opinion and in the dissent to our panel majority's now-vacated Second Amendment decision. See Kolbe v. Hogan, 813 F.3d 160, 194, 196 (4th Cir. 2016) (King, J., dissenting in part and concurring in

the judgment in part) (expressing a strong inclination to "proclaim that the Second Amendment is not implicated by the FSA," in that there is no "reasonable basis for saying that, although the M16 is a dangerous and unusual weapon, the AR-15 and similar arms are not"); id. at 195 n.2 (recognizing that large-capacity magazines also "could be deemed dangerous and unusual, in view of evidence that, inter alia, they are particularly designed and most suitable for military and law enforcement applications" (internal quotation marks omitted)); Kolbe, 42 F. Supp. 3d at 789 n.29 (observing that, "[g]iven that assault rifles like the AR-15 are essentially the functional equivalent of M-16s — and arguably more effective — the [reasoning of Heller that M-16s could be banned as dangerous and unusual] would seem to apply here" (citing Heller, 554 U.S. at 627))).

In our analysis, we simply de-emphasize the term "dangerous and unusual," more directly concluding under Heller that, because the banned assault weapons and large-capacity magazines are "like" "M-16 rifles" and "most useful in military service," they are beyond the reach of the Second Amendment. Consequently, the problem for the plaintiffs is not that they have been deprived of an ample opportunity to squarely meet the issue of whether the banned assault weapons and large-capacity magazines are most useful in military service. Instead, the

plaintiffs' problem is that, despite full notice of the issue, they have not and apparently cannot forecast evidence adequately helpful to their cause. Meanwhile, the State's evidence readily establishes that the banned assault weapons and large-capacity magazines are most useful in military service, causing us to neither employ our own "military opinion" nor abandon the summary judgment standard to rule as we do.

Our distinguished dissenting colleagues just as ineffectively attack the merits of our ruling on Second Amendment protection, chiefly complaining that we do not adopt the dissent's illogical popularity test. Elsewhere, the dissent strategically removes the word "most" from Heller's enunciation of the "most useful in military service" inquiry. The dissent thereby incorrectly insists that we are foreclosing Second Amendment protection for weapons that may have some use in military service, including the stun guns at issue in Caetano and even the handguns at issue in Heller. The dissent goes so far as to claim that we "would remove nearly all firearms from Second Amendment protection as nearly all firearms can be useful in military service." See post at 100. At another point, the dissent acknowledges the critical distinction that the Heller Court drew between military weapons at the time of Second Amendment's ratification (arms entitled to constitutional protection because they were otherwise possessed at home by

citizen militia members for self-defense) and the military weapons of today (sophisticated arms like the M16 that were developed for modern warfare and thus lack constitutional protection). But the dissent inconsistently reckons that we have placed a settler's musket outside the ambit of the Second Amendment.

Taking a last shot at our ruling on Second Amendment protection, the dissent endeavors to make the case for the plaintiffs that the FSA-banned assault weapons and large-capacity magazines are not, in fact, most useful in military service. In so doing, the dissent simply resorts to further obfuscation. For example, the dissent underscores that the AR-15 and other prohibited semiautomatic rifles are not themselves "in regular use by any military force, including the United States Army, whose standard-issue weapon has been the fully automatic M16- and M4-series rifles." See post at 102; see also id. at 106 ("If these firearms were such devastating weapons of war, one would think that they would be standard issue for military forces across the globe."). The dissent characterizes the relevant inquiry as being whether a weapon's "only legitimate purpose is to lay waste to a battlefield full of combatants," id. at 102-03 (emphasis added), and then invokes evidence that there are citizens who possess and use the banned assault weapons for sporting purposes and self-defense, id. at

106-07. The dissent also treats rate of fire as the sole determinative factor and proffers its own evidence that an M16 in semiautomatic mode cannot fire as rapidly — at least not “effectively” — as the State’s evidence reflects. Id. at 103-04; see also id. at 105 n.6 (noting that fully automatic and semiautomatic firearms do not “spray-fire” in precisely the same manner). Additionally, the dissent parses other individual features of the banned assault weapons, pointing out that some features are shared by non-banned firearms, do not on their own make weapons “more lethal or battle-ready,” and can actually render firearms “easier and safer to operate.” Id. at 104-06. The dissent even emphasizes evidence opining that “[t]he semi-automatic AR15 carbine is likely the most ergonomic, safe, readily available and effective firearm for civilian self-defense.” Id. at 107 (alteration in original) (internal quotation marks omitted).

As the dissent would have it, we groundlessly deem the banned assault weapons to be military-style weapons of war when they are actually nothing of the sort, thereby welcoming prohibitions against a multitude of other firearms. On that score, however, the dissent is patently alarmist and wrong.

Our ruling on Second Amendment protection is limited and clear: Because the FSA-banned assault weapons and large-capacity magazines are like M16s, in that they are most useful

in military service, they are not protected by the Second Amendment. The relevant question is not whether they are themselves M16s or other arms used by a military; or whether they are useful at all or only useful in military service; or whether they have this or that single feature in common with a non-banned firearm. Rather, the issue is whether the banned assault weapons and large-capacity magazines possess an amalgam of features that render those weapons and magazines like M16s and most useful in military service. The uncontroverted evidence here is that they do. See, e.g., J.A. 735, 1121-22 (reflecting that the banned assault weapons are designed to “kill[] or disabl[e] the enemy” on the battlefield, and that “[t]he net effect of [their] military combat features is a capability for lethality — more wounds, more serious, in more victims — far beyond that of other firearms in general, including other semiautomatic guns”); id. at 891, 1151 (indicating that large-capacity magazines “are particularly designed and most suitable for military and law enforcement applications,” as well as a “uniquely military feature[]” of both the banned assault weapons and other firearms to which they may be attached). Nothing in our decision today affects or calls into question the Second Amendment protection of weapons that are not most useful in military service — including, of course, Heller’s handguns.

Finally, unlike us, our esteemed dissenting colleagues would subject the FSA's prohibitions against assault weapons and large-capacity magazines to the ultra-demanding strict scrutiny standard. See post at 107-15. Indeed, the dissent would apply strict scrutiny to any ban on in-home possession of any weapon that satisfies the dissent's popularity test. Meanwhile, we conclude that no more than intermediate scrutiny applies here, in part because the FSA leaves citizens free to protect themselves with handguns and plenty of other firearms and ammunition, and thus does not severely burden the core Second Amendment right to use arms for self-defense in the home. We also take notice of the scant evidence in the record that the banned assault weapons and large-capacity magazines are possessed or suitable for self-protection.

The dissent has no good answer to our analysis. First, the dissent mischaracterizes our Court's recent decision in United States v. Hosford, 843 F.3d 161 (4th Cir. 2016), as holding "that strict scrutiny applies when a law restricting possession of a firearm applies to conduct inside of the home and touches on self-defense concerns." See post at 110. The Hosford panel consisted of three judges in today's en banc majority. What Hosford actually decided is that strict scrutiny does not apply where — as there — a "prohibition does not touch on the Second

Amendment's core protections," e.g., where the law "addresses only conduct occurring outside the home[] and does not touch on self-defense concerns." See 843 F.3d at 168. We did not determine in Hosford whether strict scrutiny always or ever applies to laws infringing on the Second Amendment right of self-defense in the home, and we had no reason to do so. In these circumstances, the Hosford decision is not pertinent, and the dissent is simply wrong in arguing otherwise.

The dissent also asserts that our "line of thought was expressly rejected by the Supreme Court in Heller" when it "dismissed the District of Columbia's reverse contention that its handgun ban [was constitutional] because long guns were still permitted for home defense." See post at 111 (emphasis omitted) (citing Heller, 554 U.S. at 629). The dissent's equation of this case and Heller is wholly untenable, however, because it depends on discounting the relevance of the handgun's status as "the quintessential self-defense weapon" — a status that was obviously and unquestionably important to the Heller Court. See Heller, 554 U.S. at 628-29. Nevertheless, the dissent next insists that, in rejecting its reading of Heller, we allow that "any state 'would be free to ban all weapons except handguns, because handguns are the most popular weapon chosen by Americans for self-defense in the home.'" See post at 112 (emphasis omitted) (quoting Caetano, 136 S. Ct. at 1032

(Alito, J., concurring in the judgment)). In reality, without passing on the comparative burdensomeness of bans on any other types of arms, we merely say that a prohibition against assault weapons and large-capacity magazines is far less burdensome on the core Second Amendment right than a ban on handguns. According to the dissent, we thereby improperly discount evidence of the utility of assault weapons and large-capacity magazines for self-defense, but that assertion relies on the same and similar points that fail to make the case for the plaintiffs that such weapons and magazines are not, in fact, most useful in military service. See id. at 112-14 & n.9.

Ultimately, the dissent would leave it to individual citizens — and disempower legislators — to determine whether a weapon may be possessed for self-defense. See post at 114 (“As long as the weapon chosen is one commonly possessed by the American people for lawful purposes[,] . . . the state has very little say about whether its citizens should keep it in their homes for protection.”). That is, under the dissent, any ban on the in-home possession of a sufficiently popular weapon would have to withstand strict scrutiny to be allowed to stand. The Heller Court did not, however, ordain such a trampling of the legislative prerogative to enact firearms regulations to protect all the people. Rather, as it is here, intermediate scrutiny can be the appropriate standard for assessing the

constitutionality of a prohibition against the possession of a weapon in the home. And the FSA survives intermediate scrutiny, assuming the assault weapons and large-capacity magazines that it prohibits are even entitled to Second Amendment protection.

IV.

We next address the plaintiffs' Fourteenth Amendment claims, which are pursued under the Equal Protection Clause (barring a state from "deny[ing] to any person within its jurisdiction the equal protection of the laws"), as well as the Due Process Clause (prohibiting a state from "depriv[ing] any person of life, liberty, or property, without due process of law"). See U.S. Const. amend. XIV, § 1. We are satisfied to affirm the district court's award of summary judgment to the State with respect to those claims.

A.

The first of the plaintiffs' Fourteenth Amendment claims is that the FSA contravenes the Equal Protection Clause by allowing retired Maryland law enforcement officers to receive and possess assault weapons and large-capacity magazines. As previously explained, the relevant provision of the FSA allows the receipt and possession of an assault weapon or large-capacity magazine by a retired Maryland law enforcement officer if such weapon or magazine "is sold or transferred to the person by the law

enforcement agency on retirement" or "was purchased or obtained by the person for official use with the law enforcement agency before retirement." See Md. Code Ann., Crim. Law § 4-302(7).

The Supreme Court has recognized that equal protection "is essentially a direction that all persons similarly situated should be treated alike." See City of Cleburne v. Cleburne Living Ctr., Inc., 473 U.S. 432, 439 (1985). Thus, a plaintiff challenging a state statute on an equal protection basis "must first demonstrate that he has been treated differently from others with whom he is similarly situated and that the unequal treatment was the result of intentional or purposeful discrimination." See Morrison v. Garraghty, 239 F.3d 648, 654 (4th Cir. 2001) (citing City of Cleburne, 473 U.S. at 439-40). If that initial showing has been made, "the court proceeds to determine whether the disparity in treatment can be justified under the requisite level of scrutiny." Id. At that step, a court generally presumes that the statute is valid and will reject the challenge "if the classification drawn by the statute is rationally related to a legitimate state interest." See City of Cleburne, 473 U.S. at 440.³

³ In certain circumstances, the general presumption of statutory validity "gives way" and stricter judicial scrutiny of a challenged law is warranted. See City of Cleburne, 473 U.S. at 440-41 (observing that higher levels of scrutiny apply to suspect classifications). There is no contention that a
(Continued)

Applying the foregoing principles, we first assess whether the FSA treats similarly situated persons differently. See Morrison, 239 F.3d at 654. More specifically, we examine whether retired Maryland law enforcement officers are similarly situated to other members of the public with respect to the banned assault weapons and large-capacity magazines.

Maryland requires its law enforcement officers to maintain competence relating to firearms. For example, such officers are not entitled to use or carry firearms in their work until they have "successfully complete[d] the applicable firearms classroom instruction, training, and qualification." See Code of Maryland Regulations ("COMAR") 12.04.02.03(A); see also COMAR 12.04.02.06(B) (establishing minimum requirements for long gun instruction, training, and qualification). Thereafter, officers are obliged to complete annual classroom instruction and training for each firearm they are authorized to use or carry. See COMAR 12.04.02.08(A). The failure of an officer to complete his annual training will cause the seizure of his firearms by the Maryland Police Training Commission, or, if those firearms are personally owned by the officer, the loss of his authorization to use them on the job. See COMAR 12.04.02.08(E).

heightened level of scrutiny applies to the equal protection challenge in this case.

Finally, officers are trained on the use of deadly force, plus the safe handling and storage of firearms at work and at home. See COMAR 12.04.02.10(C)-(D).

The record shows that Maryland law enforcement officers are also required to complete specialized training in order to use or carry assault weapons. Officers are trained on how and when to utilize assault weapons, and they are taught the techniques that minimize the risks of harm to innocent civilians. After receiving assault weapons training, officers are required to periodically requalify to use or carry such weapons in the line of duty.

As for large-capacity magazines, Maryland law enforcement officers are taught to assess every shot from a firearm for effectiveness and to fully evaluate a hostile situation before firing multiple rounds. The record shows that, at least within four major police agencies — the Maryland State Police, the Baltimore County Police Department, the Baltimore Police Department, and the Prince George's County Police Department — the standard service weapons issued to law enforcement personnel come with large-capacity magazines. Consequently, officers who retire from those departments have been properly trained on the handling and use of such magazines.

Because of the extensive training that Maryland requires of its law enforcement officers, and in light of their experience

in public safety, retired Maryland law enforcement officers are not similarly situated to the general public with respect to the assault weapons and large-capacity magazines banned by the FSA. That is, retired officers are better equipped to safely handle and store those weapons and magazines and to prevent them from falling into the wrong hands. Accordingly, we reject the plaintiffs' equal protection challenge for lack of an initial showing that the FSA treats similarly situated persons differently. See Kolbe v. O'Malley, 42 F. Supp. 3d 768, 799 (D. Md. 2014) ("The court cannot conclude that the State of Maryland is treating differently persons who are in all relevant respects alike, and the plaintiffs' equal protection challenge must fail.").

10 In pursuing their equal protection challenge, the plaintiffs rely primarily on Silveira v. Lockyer, wherein the Ninth Circuit concluded that a retired officer exception to an assault weapons ban contravened the Equal Protection Clause. See 312 F.3d 1052, 1089-92 (9th Cir. 2002). We agree with the district court, however, that the Silveira decision "is flawed," as it did not analyze whether there was differential treatment of similarly situated persons. See Kolbe, 42 F. Supp. 3d at 798 n.39. Otherwise, the plaintiffs insist that Maryland's retired law enforcement officers are similarly situated to the general public, in that some individual officers might not have been properly trained on assault weapons or large-capacity magazines. That contention lacks merit because we must look at retired officers as a broader class.

B.

The plaintiffs' second Fourteenth Amendment claim is that the FSA's ban on "copies" of the assault weapons identified in section 5-101(r)(2) of the Maryland Code's Public Safety Article is unconstitutionally vague on its face, in contravention of the Due Process Clause. In particular, they maintain that the statute fails to inform a reasonable person of what constitutes a "cop[y]" of a particular assault weapon. See Md. Code Ann., Pub. Safety § 5-101(r)(2) (defining a "[r]egulated firearm" as "a firearm that is any of the following specific assault weapons or their copies, regardless of which company produced and manufactured that assault weapon").

As the Supreme Court recently explained, the void-for-vagueness doctrine precludes the enforcement of a criminal statute "so vague that it fails to give ordinary people fair notice of the conduct it punishes, or so standardless that it invites arbitrary enforcement." See Johnson v. United States, 135 S. Ct. 2551, 2556 (2015).²⁰ A criminal statute need not,

²⁰ The Supreme Court's Johnson decision — which was rendered in June 2015, nearly a year after the district court's Opinion here — precludes the State's contention that we should uphold the FSA's ban on "copies" under United States v. Salerno, 481 U.S. 739, 745 (1987) (observing that "[a] facial challenge to a legislative Act" requires "the challenger [to] establish that no set of circumstances exists under which the Act would be valid"). In Johnson, the Court rejected the notion that "a vague provision is constitutional merely because there is some (Continued)

however, "spell out every possible factual scenario with celestial precision." See United States v. Hager, 721 F.3d 167, 183 (4th Cir. 2013) (internal quotation marks omitted).

The term "copies," as used in section 5-101(r)(2), is not new to Maryland's firearms statutes. Indeed, Maryland has regulated the "possession, sale, offer for sale, transfer, purchase, receipt, or transport" of certain assault weapons and "their copies" for more than two decades. See 1994 Md. Laws, ch. 456. In May 2010, Maryland's Attorney General rendered an opinion explaining the term "copies" as used in section 5-101(r)(2). He therein observed that the ordinary meaning of the word copy is "a reproduction or imitation of an original." See J.A. 681. The Attorney General explained that, under Maryland law, "a copy of a designated assault weapon must be similar in its internal components and function to the designated weapon." Id. at 678. Thus, "[c]osmetic similarity to an enumerated assault weapon alone would not bring a weapon within the regulated firearms law." Id. Six months later, in November 2010, the Maryland State Police issued a bulletin explaining that it considers a firearm that is cosmetically similar to an assault weapon identified in section 5-101(r)(2) to be a copy

conduct that clearly falls within the provision's grasp." See 135 S. Ct. at 2561.

only if it possesses "completely interchangeable internal components necessary for the full operation and function of any one of the specifically enumerated assault weapons." Id. at 676. The Attorney General's opinion, coupled with the State Police bulletin, provide guidance on the term "copies," and that guidance remained in force after the FSA was enacted in 2013.

The Court of Appeals of Maryland has recognized that "legislative acquiescence in the administrative construction [of a statute] gives rise to a strong presumption that the administrative interpretation is correct." See Wash. Suburban Sanitary Comm'n v. C.I. Mitchell & Best Co., 495 A.2d 30, 37 (Md. 1985). Because the Attorney General's 2010 opinion and the subsequent bulletin of the State Police explain how to determine whether a particular firearm is a copy of an identified assault weapon, we cannot conclude that the term "copies" in section 5-101(r)(2) is unconstitutionally vague. See Vill. of Hoffman Estates v. Flipside, Hoffman Estates, Inc., 455 U.S. 489, 504 (1982) (explaining that a municipality may "adopt administrative regulations that will sufficiently narrow potentially vague or arbitrary interpretations of [an] ordinance").

In further support of their vagueness claim, the plaintiffs argue that the typical gun owner would not know whether the internal components of one firearm are interchangeable with the internal components of some other firearm. That contention

misapprehends the vagueness inquiry, which focuses on the intractability of identifying the applicable legal standard, not on the difficulty of ascertaining the relevant facts in close cases. See United States v. Williams, 553 U.S. 285, 306 (2008) ("What renders a statute vague is not the possibility that it will sometimes be difficult to determine whether the incriminating fact it establishes has been proved; but rather the indeterminacy of precisely what that fact is."); see also Johnson, 135 S. Ct. at 2560 (emphasizing, in ruling that the residual clause of the Armed Career Criminal Act was unconstitutionally vague, the "pervasive disagreement about the nature of the inquiry one is supposed to conduct and the kinds of factors one is supposed to consider"). The legal standard for determining what qualifies as a copy of an identified assault weapon is sufficiently clear, and we thus reject the plaintiffs' contention that the FSA's ban on copies of assault weapons is unconstitutionally vague. See Kolbe, 42 F. Supp. 3d at 802 ("[T]he court cannot conclude that the [FSA] fails to provide sufficient notice of banned conduct.").

" In the summary judgment proceedings below, the plaintiffs also unsuccessfully sought to show that the FSA invites arbitrary enforcement. As the district court recognized in disposing of that contention, "[w]hen the terms of a regulation are clear and not subject to attack for vagueness, the plaintiff bears a high burden to show that the standards used by officials enforcing the statute nevertheless give rise to a vagueness (Continued)

V.

Pursuant to the foregoing, we affirm the judgment of the district court.

AFFIRMED

challenge." See Kolbe, 42 F. Supp. 3d at 802 (quoting Wag More Dogs, L.L.C. v. Cozart, 680 F.3d 359, 372 (4th Cir. 2012)). The court concluded that the plaintiffs failed to sustain that substantial burden, in that they have not identified any arrests or convictions resulting from a misunderstanding of the term "copies," as used in section 5-101(r)(2), nor have they identified any acquittals based on the alleged vagueness of that term. The plaintiffs did not endeavor on appeal to demonstrate that there has been arbitrary enforcement of the "copies" provision.

WILKINSON, Circuit Judge, with whom WYNN, Circuit Judge, joins, concurring:

I am happy to concur in Judge King's fine opinion in this case.

No one really knows what the right answer is with respect to the regulation of firearms. It may be that relatively unrestricted access to guns will diminish the incidence of crime by providing a deterrent force against it. On the other hand, it may be that such access leads only to a proliferation of incidents in which the most deadly firearms are unleashed against the public.

The question before us, however, is not what the right answer is, but how we may best find it. The dissent aspires to subject a host of firearm regulations to "strict scrutiny," a term of art deployed here to empower the judiciary and leave Congress, the Executive, state legislatures, and everyone else on the sidelines. I am unable to draw from the profound ambiguities of the Second Amendment an invitation to courts to preempt this most volatile of political subjects and arrogate to themselves decisions that have been historically assigned to other, more democratic, actors. The fact that Heller exempted from legislative infringement handguns broadly utilized for self-defense in the home does not mean that it disabled legislatures from addressing the wholly separate subject of

assault weapons suitable for use by military forces around the globe. See District of Columbia v. Heller, 544 U.S. 570, 626-28 (2008).

Disenfranchising the American people on this life and death subject would be the gravest and most serious of steps. It is their community, not ours. It is their safety, not ours. It is their lives, not ours. To say in the wake of so many mass shootings in so many localities across this country that the people themselves are now to be rendered newly powerless, that all they can do is stand by and watch as federal courts design their destiny - this would deliver a body blow to democracy as we have known it since the very founding of this nation.

In urging us to strike this legislation, appellants would impair the ability of government to act prophylactically. More and more under appellants' view, preventive statutory action is to be judicially forbidden and we must bide our time until another tragedy is inflicted or irretrievable human damage has once more been done. Leaving the question of assault weapons bans to legislative competence preserves the latitude that representative governments enjoy in responding to changes in facts on the ground. Constitutionalizing this critical issue will place it in a freeze frame which only the Supreme Court itself could alter. The choice is ultimately one of flexibility versus rigidity, and beyond that, of whether conduct that has

visited such communal bereavement across America will be left to the communal processes of democracy for resolution.

Providing for the safety of citizens within their borders has long been state government's most basic task. See, e.g., Boston Beer Co. v. Massachusetts, 97 U.S. 25, 32 (1877). In establishing the "right of law-abiding, responsible citizens to use arms in defense of hearth and home," Heller did not abrogate that core responsibility. 554 U.S. at 635. Indeed, Heller stopped far short of the kind of absolute protection of assault weapons that appellants urge on us today. The dissent, by contrast, envisions the Second Amendment almost as an embodiment of unconditional liberty, thereby vaulting it to an unqualified status that the even more emphatic expressions in the First Amendment have not traditionally enjoyed. As Judge King has aptly noted, Heller was a cautiously written opinion, which reserved specific subjects upon which legislatures could still act. See id. at 626 (recognizing that the Second Amendment right is "not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose"). Had Heller in fact failed to reserve those subjects, or had it been written more ambitiously, it is not clear that it could have garnered the critical five votes.

The weapons that Maryland sought to regulate here are emphatically not defensive in nature. Of course, no weapon is

what we learned long ago in real property class to call a fixture. Weapons may remain at home for a while but their station is not permanent. They can always be taken out on the town. For what purpose? The Maryland legislature could readily conclude that assault weapons, unlike handguns, are efficient instruments of mass carnage, and in fact would serve as weapons of choice for those who in a commando spirit wish to charge into a public venue and open fire. Likewise, the legislature could validly determine that large detachable magazines with a capacity of more than ten rounds of ammunition in fact facilitate assaults by those who seek to eliminate the need to reload.

If this statute is struck down, it is difficult to see what class of non-automatic firearms could ever be regulated. If these weapons are outside the legislative compass, then virtually all weapons will be. It is altogether fair, of course, to argue that the assault weapons here should be less regulated, but that is for the people of Maryland (and the Virginias and the Carolinas) to decide.

Appellants claim, however, that these assault weapons cannot be banned because they are "in common use" and are "typically possessed by law-abiding citizens for lawful purposes." Appellants' Supp. Br. 20-23. This language was of course employed in Heller, 554 U.S. at 624-28, but it did not

purport to make any inquiry into common usage and typical possession the exclusive province of the courts. The dissent's forays into the properties and usages of this or that firearm are the kind of empirical inquiries routinely reserved for legislative bodies which possess fact-finding capabilities far superior to the scantily supported views now regularly proffered from the bench. In fact, legislators are uniquely suited to discern popular habits and to understand regular usage within the populace. The term "common use" was never meant to deal to courts the sole and supreme hand in a political controversy where the combatants on both sides are robust, where they are energized, and where they are well stocked with arguments they can press before the public.

As Heller recognized, there is a balance to be struck here. While courts exist to protect individual rights, we are not the instruments of anyone's political agenda, we are not empowered to court mass consequences we cannot predict, and we are not impaneled to add indefinitely to the growing list of subjects on which the states of our Union and the citizens of our country no longer have any meaningful say.

With all respect for my good colleagues who see this important matter differently, I would uphold the Maryland law in its entirety.

DIAZ, Circuit Judge, concurring in part:

I am pleased to join the majority in affirming the district court's judgment. But like the district court, I think it unnecessary to decide whether the assault weapons and large-capacity magazines at issue here are protected by the Second Amendment. Rather, I am content to decide this case solely on the majority's alternative (and compelling) rationale--that even if Maryland's statute implicates the Second Amendment, it nonetheless passes constitutional muster.

TRAXLER, Circuit Judge, with whom NIEMEYER, SHEDD, and AGEE, Circuit Judges, join, dissenting:

Today the majority holds that the Government can take semiautomatic rifles away from law-abiding American citizens. In South Carolina, North Carolina, Virginia, West Virginia and Maryland, the Government can now tell you that you cannot hunt with these rifles. The Government can tell you that you cannot shoot at targets with them. And, most importantly, the Government can tell you that you cannot use them to defend yourself and your family in your home. In concluding that the Second Amendment does not even apply, the majority has gone to greater lengths than any other court to eviscerate the constitutionally guaranteed right to keep and bear arms.

In addition, the majority holds that even if it is wrong when it says that the Second Amendment does not cover these commonplace rifles, Maryland can still lawfully forbid their purchase, even for self defense in one's home-the core Second Amendment right. My friends do not believe this ruling impairs the rights citizens have under the Constitution to any significant degree. In my view, the burden imposed by the Maryland law is considerable and requires the application of strict scrutiny, as is customary when core values guaranteed by the Constitution are substantially affected. I recognize that after such a judicial review, the result could be that the

Maryland law is constitutional. I make no predictions on that issue. I simply say that we are obligated by Supreme Court precedent and our own to treat incursions into our Second Amendment rights the same as we would restrictions on any other right guaranteed us by our Constitution.

Therefore I respectfully dissent.

I. The Second Amendment Protects Semiautomatic
Rifles and Large Capacity Magazines

A. Semiautomatic rifles are commonly possessed
by law-abiding citizens.

The majority says first that the Second Amendment does not even apply to modern semiautomatic rifles or magazines holding more than ten rounds. In doing so, the majority stands alone from all the other courts to have considered this issue. But the scope of the Second Amendment is broad with regard to the kinds of arms that fall within its protection, "extend[ing], prima facie, to all instruments that constitute bearable arms." District of Columbia v. Heller, 554 U.S. 570, 582 (2008). Of course, like other constitutionally protected rights, "the right secured by the Second Amendment is not unlimited." Id. at 626. Of particular importance here are the historical limitations that apply to the types of arms a law-abiding citizen may bear. In that regard, the Second Amendment protects those weapons "typically possessed by law-abiding citizens for lawful purposes." Id. at 625. By contrast, "the carrying of

'dangerous and unusual weapons'" has been prohibited as a matter of "historical tradition." Id. at 627; see Caetano v. Massachusetts, 136 S. Ct. 1027, 1028 (2016) (per curiam). If a weapon is one "typically possessed by law-abiding citizens for lawful purposes," Heller, 554 U.S. at 625, then it cannot also be a "dangerous and unusual" weapon in a constitutional sense, id. at 627 (weapons "in common use at the time" did not include "dangerous and unusual weapons" (internal quotation marks omitted)). Indeed, Heller refers to "dangerous and unusual" conjunctively, so that even a "dangerous" weapon enjoys constitutional protection if it is widely held for lawful purposes. See Caetano, 136 S. Ct. at 1031 (explaining that the dangerous and unusual test "is a conjunctive test: A weapon may not be banned unless it is both dangerous and unusual") (Alito, J., concurring). The significance of this rule is that "the relative dangerousness of a weapon is irrelevant when the weapon belongs to a class of arms commonly used for lawful purposes." Id. Simply put, if the firearm in question is commonly possessed for lawful purposes, it falls within the protection of the Second Amendment. See Heller, 554 U.S. at 627.

My colleagues in the majority reject the foregoing "common use" analysis, characterizing it as a "popularity test" founded on "circular" reasoning such that "a state-of-the-art and extraordinarily lethal new weapon . . . would need only be

flooded on the market prior to any governmental prohibition in order to ensure it constitutional protection." But the majority's beef is not with me—it is with the Supreme Court of the United States. Justice Breyer raised a quite similar objection to this "popularity test" in his Heller dissent:

[I]f Congress and the States lift restrictions on the possession and use of machineguns, and people buy machineguns . . . the Court will have to reverse course and find that the Second Amendment does, in fact, protect the individual self-defense-related right to possess a machinegun. On the majority's reasoning, if tomorrow someone invents a particularly useful, highly dangerous self-defense weapon, Congress and the States had better ban it immediately, for once it becomes popular Congress will no longer possess the constitutional authority to do so. . . . There is no basis for believing that the Framers intended such circular reasoning.

554 U.S. at 720-21. Justice Breyer effectively raised my colleagues' precise criticism in his Heller dissent and the Heller majority was obviously unmoved by it.

And, indeed, following Heller, almost every federal court to have considered "whether a weapon is popular enough to be considered in common use has relied on statistical data of some form, creating a consensus that common use is an objective and largely statistical inquiry." Hollis v. Lynch, 827 F.3d 436, 449 (5th Cir. 2016) (internal quotation marks omitted). It is beyond any reasonable dispute from the record before us that a statistically significant number of American citizens possess semiautomatic rifles (and magazines holding more than 10 rounds)

for lawful purposes. Between 1990 and 2012, more than 8 million AR- and AK- platform semiautomatic rifles alone were manufactured in or imported into the United States. In 2012, semiautomatic sporting rifles accounted for twenty percent of all retail firearms sales. In fact, in 2012, the number of AR- and AK- style weapons manufactured and imported into the United States was "more than double the number of the most commonly sold vehicle in the U.S., the Ford F-150." J.A. 1878. In terms of absolute numbers, these statistics lead to the unavoidable conclusion that popular semiautomatic rifles such as the AR-15 are commonly possessed by American citizens for lawful purposes within the meaning of Heller.

The number of jurisdictions where possession of semiautomatic rifles is lawful is also an appropriate consideration in determining common use for lawful purposes. See Caetano, 136 S. Ct. at 1032-33 (Alito, J., concurring) (explaining that the 200,000 tasers and stun guns in the United States are commonly possessed for lawful purposes and "widely owned and accepted as a legitimate means of self-defense across the country" where 45 states permit their lawful possession). The semiautomatic rifle has been in existence since at least the turn of the Twentieth Century. Today, more than 100 years after these firearms came into use, individual citizens may possess semiautomatic rifles like the AR-15 semiautomatic in at least 44

states, which establishes that these weapons are widely accepted across the country as firearms that may be legitimately possessed for lawful purposes. See Robert J. Cottrol and George A. Mocsary, Guns, Bird Feathers, and Overcriminalization: Why Courts Should Take the Second Amendment Seriously, 14 Geo. J. L. & Pub. Pol'y 17, 36 (2016) (noting that "[s]even states, the District of Columbia, and a few localities regulate or ban so-called assault weapons"); see id. at 36 n.106 ("The states [banning or regulating "assault weapons"] are California, Connecticut, Hawaii, Maryland, Massachusetts, New Jersey, and New York.").

In view of the significant popularity of these firearms, courts have had little difficulty in concluding that semiautomatic rifles such as the AR-15 are in common use by law-abiding citizens. See, e.g., Heller v. District of Columbia ("Heller II"), 670 F.3d 1244, 1261 (D.C. Cir. 2011) ("We think it clear enough in the record that semi-automatic rifles and magazines holding more than ten rounds are indeed in 'common use,' as the plaintiffs contend. Approximately 1.6 million AR-15s alone have been manufactured since 1986, and in 2007 this one popular model accounted for 5.5 percent of all firearms, and

¹ Although Hawaii is listed, it bans assault pistols only; semiautomatic rifles such as the AR-15 are still permitted in Hawaii. See Haw. Rev. Stat. §§ 134-1, 134-4, 134-8.

14.4 percent of all rifles, produced in the U.S. for the domestic market."); New York State Rifle & Pistol Ass'n, Inc. v. Cuomo, 804 F.3d 242, 255 (2d Cir. 2015) ("This much is clear: Americans own millions of the firearms that the challenged legislation prohibits. . . . Even accepting the most conservative estimates cited by the parties and by amici, the assault weapons and large-capacity magazines at issue are 'in common use' as that term was used in Heller."); Colorado Outfitters Ass'n v. Hickenlooper, 24 F. Supp. 3d 1050, 1068 (D. Colo. 2014) (concluding that statute "affects the use of firearms that are both widespread and commonly used for self-defense," in view of the fact that "lawfully owned semiautomatic firearms using a magazine with the capacity of greater than 15 rounds number in the tens of millions"), vacated in part on other grounds, 823 F.3d 537 (10th Cir. 2016).

The record also shows unequivocally that magazines with a capacity of greater than 10 rounds are commonly kept by American citizens, as there are more than 75 million such magazines owned by them in the United States. These magazines are so common that they are standard on many firearms: "[O]n a nationwide basis most pistols are manufactured with magazines holding ten to 17 rounds." J.A. 2122. Even more than 20 years ago, "fully 18 percent of all firearms owned by civilians . . . were equipped with magazines holding more than ten rounds." Heller

II, 670 F.3d at 1261; see Fyock v. City of Sunnyvale, 779 F.3d 991, 998 (9th Cir. 2015) (“[W]e cannot say that the district court abused its discretion by inferring from the evidence of record that, at a minimum, [such] magazines are in common use.”)

Millions of Americans keep semiautomatic rifles and use them for lawful, non-criminal activities, including as a means to defend their homes. Plaintiffs Kolbe and Turner both seek to acquire and keep semi-automatic rifles, equipped with magazines able to hold more than 10 rounds, in their homes primarily for self-defense - a common and legitimate purpose for possessing these firearms. Plaintiffs’ expert James Curcuruto presented survey evidence showing that self-defense was a primary reason for the purchase of weapons banned under the FSA, and a 1989 Report from the Bureau of Alcohol, Tobacco, and Firearms indicated that self-defense was a suitable purpose for semiautomatic rifles. The State’s expert Daniel Webster even agreed that it is reasonable to assume that a purpose for keeping one of the prohibited weapons is “self-defense in the home.” J.A. 2291.

* Although the majority does not reach the issue of whether detachable magazines constitute bearable arms entitled to Second Amendment protection, such magazines quite clearly constitute arms for the reasons set forth in the now vacated panel opinion. See Kolbe v. Hogan, 813 F.3d 160, 175 (4th Cir. 2016).

Because the evidence before us clearly demonstrates that these popular weapons are commonly possessed for lawful purposes and are therefore not dangerous and unusual, they are covered by the Second Amendment. The majority errs in holding otherwise."

B. The Majority's Balancing Test is contrary to Heller.

Rather than apply the Supreme Court's common-use test to determine whether the Second Amendment applies to a particular type of weapon or magazine, the majority creates a heretofore unknown "test," which is whether the firearm in question is "most useful in military service."⁴ Under this newly-birthe

It is evident that my good friends in the majority simply do not like Heller's determination that firearms commonly possessed for lawful purposes are covered by the Second Amendment. In the majority's view, Heller's "commonly possessed" test produces unacceptable results in this case, providing Second Amendment coverage for semiautomatic rifles owned by less than 1% of the American public and thwarting "efforts by the other 99%" to ban them. Majority Op. at 60. This assertion rests on the false premise that every American who does not own a semiautomatic rifle wishes to ban them. That is quite a stretch. In fact, a recent Gallup poll shows that public support for a so-called assault weapons ban is at 36%. Thus, for what it is worth, substantially more Americans oppose a ban than favor it. See www.gallup.com/poll/196658/support-assault-weapons-ban-record-low.aspx (last visited Feb. 13, 2017).

Since the majority has not previously articulated this novel interpretation of Heller, neither side in the district court focused its evidence or legal arguments on proving or disproving that semiautomatic rifles such as the AR-15 are "most useful" as military weapons or on the question of whether qualifying as "militarily useful" would remove the weapon from Second Amendment protection. And the district court likewise did not address these questions. If this is the new standard, then basic fairness requires that the plaintiffs have an (Continued)

test, which seems to be a stand-alone inquiry, the Second Amendment does not apply if a court deems a weapon "most useful" in combat operations. And in the case before us today, the majority concludes that the Second Amendment does not apply at all because semiautomatic rifles, in the military opinion of the majority, are more useful as military weapons than as weapons for individual self-defense, hunting and target or sport shooting. See Majority Op. at 47 ("Whatever their other potential uses—including self-defense—the AR-15, other assault weapons, and large-capacity magazines prohibited by the FSA are unquestionably most useful in military service."). This analysis is clearly at odds with the Supreme Court's approach in Heller setting out how courts, including the majority, are to go about a Second Amendment inquiry.

opportunity to squarely meet the issue. See United States v. Chester, 628 F.3d 673, 683 (4th Cir. 2010) ("Having established the appropriate standard of review, we think it best to remand this case to afford the government an opportunity to shoulder its burden and Chester an opportunity to respond. Both sides should have an opportunity to present their evidence and their arguments to the district court in the first instance.").

In articulating and then applying its novel military usefulness test, not only has the majority failed to afford plaintiffs an opportunity to respond, but it has abandoned the summary judgment standard and reached a conclusion based on facts viewed in the light most favorable to the State, the proponent of the summary judgment motion, and not the plaintiffs as the non-movants. See Woollard v. Gallagher, 712 F.3d 865, 873 (4th Cir. 2013) (applying Fed. R. Civ. P. 56(a) in Second (Continued)

First, the majority simply ignores "the pertinent Second Amendment inquiry"—"whether [the firearms at issue] are commonly possessed by law-abiding citizens for lawful purposes today." Caetano, 136 S. Ct. 1032 (Alito, J., concurring) (emphasis omitted). But, this omission is understandable in light of the millions of law-abiding Americans who possess the semiautomatic rifles at issue, as explained previously. It is beyond debate.

Second, the majority makes no attempt to demonstrate that semiautomatic rifles have been historically prohibited as "dangerous and unusual" weapons. Instead, our court today has adopted an ad hoc analysis that excludes a weapon from Second Amendment protection if it appears to be "like" an M-16 or "most useful in military service." Under this approach, it is irrelevant that a firearm may have been commonly possessed and widely accepted as a legitimate firearm for law-abiding citizens for hundreds of years; such a weapon could be removed from the scope of the Second Amendment so long as a court says it is "like" an M-16 or, even easier, just calls it a "weapon of war." Indeed, Justice Alito pointed out in his Caetano concurrence that even a stun gun capable of only non-lethal force is

Amendment context and "viewing the facts and inferences reasonably drawn therefrom in the light most favorable to the nonmoving party").

suitable for military use. See id. Obviously, what the majority ignores from Heller is that "weapons that are most useful in military service--M-16 rifles and the like"--are not "typically possessed by law-abiding citizens" today. Heller, 554 U.S. at 625, 627. While the majority's quoted reference from Heller would exclude weapons "most useful in military service" such as Gatling guns, mortars, bazookas, etc., no one could claim these items were ever commonly possessed for Second Amendment purposes. Indeed, such "M-16 rifles and the like" are outside the Second Amendment because they "are highly unusual in society at large." Id. at 627.

Third, Heller in no way suggests that the military usefulness of a weapon disqualifies it from Second Amendment protection. That is the majority's singular concoction. On the contrary, the Second Amendment has always been understood to cover weapons useful in military operations. Indeed, the Second Amendment at the Founding was grounded in the need to safeguard the commonly possessed weapons of citizens for military service. "[A]t the time of the Second Amendment's ratification," it was understood that "all citizens capable of military service . . . would bring the sorts of lawful weapons that they possessed at home to militia duty." Heller, 554 U.S. at 627. "'Ordinarily when called for militia service able-bodied men were expected to appear bearing arms supplied by themselves and of the kind in

common use at the time.’” Id. at 624 (quoting United States v. Miller, 307 U.S. 174, 179 (1939)) (alterations omitted). Under the majority’s analysis, a settler’s musket, the only weapon he would likely own and bring to militia service, would be most useful in military service—undoubtedly a weapon of war—and therefore not protected by the Second Amendment. This analysis turns Heller on its head. Indeed, the Court in Heller found it necessary to expressly reject the view that “only those weapons useful in warfare are protected.” Id. (emphasis added). Weapons useful in warfare are obviously protected by the Second Amendment; if this were not so, the Court would have had no reason to caution against the assumption that the Second Amendment protects only weapons useful in military operations.

Read in context, Heller’s reference to “weapons that are most useful in military service” clearly does not provide some alternative to the “in common use” query for determining whether the Second Amendment applies. If it were otherwise, the “most useful in military service” rubric would remove nearly all firearms from Second Amendment protection as nearly all firearms can be useful in military service. Heller settled “a decades-long debate between those who interpreted the text to guarantee a private, individual right to bear arms and those who generally read it to secure a collective right to bear arms in connection with service in the state militia.” Chester, 628 F.3d at 674–

75. Heller determined that the prefatory clause of the Second Amendment, which refers to the militia, does not limit the right to "keep and bear Arms" set forth in the operative clause, 554 U.S. at 578, and therefore that the Second Amendment "protects an individual right to possess a firearm unconnected with service in a militia," id. at 577. In addressing the criticism that the Court had simply read the prefatory clause out of the Second Amendment, the Court explained:

It may be objected that if weapons that are most useful in military service—M-16 rifles and the like—may be banned, then the Second Amendment right is completely detached from the prefatory clause. But as we have said, the conception of the militia at the time of the Second Amendment's ratification was the body of all citizens capable of military service, who would bring the sorts of lawful weapons that they possessed at home to militia duty. It may well be true today that a militia, to be as effective as militias in the 18th century, would require sophisticated arms that are highly unusual in society at large. Indeed, it may be true that no amount of small arms could be useful against modern-day bombers and tanks. But the fact that modern developments have limited the degree of fit between the prefatory clause and the protected right cannot change our interpretation of the right.

Id. at 627-28 (emphasis added). Thus, because the Second Amendment "protects an individual right to possess a firearm unconnected with service in a militia," id. at 577, "whether a weapon has a nexus to military utility is not the test as to whether that weapon receives Second Amendment protection," Hollis, 827 F.3d at 446.

In sum, if a "weapon belongs to a class of arms commonly used for lawful purposes," Caetano, 136 S. Ct. at 1031 (Alito, J., concurring), then it comes within the ambit of the Second Amendment and our threshold inquiry is at an end. The fact that a weapon is designed "for the purpose of bodily assault" and "constructed to produce death or great bodily harm" "cannot be used to identify arms that fall outside the Second Amendment." Id. (internal quotation marks omitted). That is, "the relative dangerousness of a weapon is irrelevant" where the weapon is "commonly used for lawful purposes." Id. Under Heller, therefore, even a weapon that some court concludes has militarily useful features or is too dangerous for civilians to possess is covered by the Second Amendment if it is "commonly used for lawful purposes."

C. It is anything but clear that semiautomatic sporting rifles are "weapons of war."

The majority concludes that the semiautomatic rifles banned by Maryland law are most useful in military service, even though they are not in regular use by any military force, including the United States Army, whose standard-issue weapon has been the fully automatic M16- and M4-series rifles. See Hollis, 827 F.3d at 440 n.2.

In its effort to show that semiautomatic rifles are devastating weapons of war whose only legitimate purpose is to

lay waste to a battlefield full of combatants, the majority first states that the rates of fire between the fully automatic M16 service rifle and the semiautomatic AR-15 sporting rifle are "nearly identical." This claim seems counter-intuitive because semiautomatic firearms require that the shooter pull the trigger for each shot fired, while fully automatic weapons--otherwise known as "machine guns"--do not require a pull of the trigger for each shot and will discharge every round in the magazine as long as the trigger is depressed. See Staples v. United States, 511 U.S. 600, 602 n. 1 (1994). The rate of fire of a semiautomatic firearm is determined simply by how fast the shooter can squeeze the trigger.

The majority's assertion might surprise the United States Army, which sets the maximum effective rates of M4- and M16-series rifles operating in semi-automatic mode at 45 to 65 rounds per minute--only about five rounds in five seconds (not 30 rounds as the majority believes). This is far slower than 150 to 200 rounds per minute that may effectively be fired by the same arms operating in fully automatic mode. See United States Dep't of Army, Field Manual 3-22.9, Rifle Marksmanship, M16-/M4-Series Weapons, Table 2-1 (2008). Some of the experts at the Bureau of Alcohol, Tobacco, Firearms and Explosives ("BATF") might be surprised as well, in light of the testimony submitted to Congress on behalf of BATF:

The AK-47 is a select fire weapon capable of firing 600 rounds per minute on full automatic and 40 rounds per minute on semi-automatic. The AKS and AK-47 are similar in appearance. The AK-47 . . . [has] been manufactured as a machine gun. . . . The AKS is a semi-automatic that, except for its deadly military appearance, is no different from other semi-automatic rifles.

Hearings on S. 386 Before the Subcomm. on the Constitution of the Senate Comm. on the Judiciary, 101st Cong. 28-29 (1989).

Of course, if the majority is correct that the semiautomatic AR-15's rate of fire makes it a weapon of war outside the scope of the Second Amendment, then all semiautomatic firearms—including the vast majority of semiautomatic handguns—enjoy no constitutional protection since the rate of fire for any semiautomatic firearm is determined by how fast the shooter can squeeze the trigger. Such a conclusion obviously flies in the face of Heller, which never mentions rate of fire as a relevant consideration. Likewise, the suggestion that the ability to accept large-capacity magazines facilitates a firearm's military usefulness applies to all semiautomatic weapons, including constitutionally-protected handguns, since any firearm that can hold a magazine can theoretically hold one of any size.

The majority also suggests that other features of semiautomatic rifles like the AR-15 make them devastating military weapons. But several of the features identified do not

make the firearms more lethal or battle-ready, but easier to use. On the contrary, many of the "military-style" components "increase accuracy and improve ergonomics." J.A. 2100. A telescoping stock, for example, permits the operator to adjust the length of the stock according to his or her physical size so that the rifle can be held comfortably. J.A. 2182. Likewise, a pistol grip provides comfort, stability, and accuracy, see David B. Kopel, Rational Basis Analysis of "Assault Weapon" Prohibition, 20 J. Contemp. L. 381, 396 (1994) ("By holding the pistol grip, the shooter keeps the barrel from rising after the first shot, and thereby stays on target for a follow-up shot. The defensive application is obvious, as is the public safety advantage in preventing stray shots."), and barrel shrouds keep the operator from burning himself or herself upon contact with the barrel.⁴ And although flash suppressors can indeed conceal a shooter's position—which is also an advantage for someone defending his or her home at night—they serve the primary function of preventing the shooter from being blinded in low-lighting conditions. See Kopel, at 397 ("Reduced flash

⁴ These features, the majority suggests, enable a shooter to "spray-fire" rounds everywhere. "Spray-firing" can only be accomplished with a fully automatic assault rifle like an M4 carbine; "[i]n semiautomatic mode it is possible to either aim fire or to point shoot, but it is not possible to spray fire in the manner as one would in fully automatic mode." J.A. 2128.

decreases shooter's blindness--the momentary blindness caused by the sudden flash of light from the explosion of gunpowder. The flash reduction is especially important for shooting at dawn or at dusk."). None of these features convert a semiautomatic rifle into a weapon of war like a machinegun carried into battle by actual soldiers. It is unclear to me why features that make a firearm easier and safer to operate add to its battlefield prowess.

In deciding that the banned semiautomatic rifles "are unquestionably most useful in military service," the majority cavalierly dismisses "their other potential uses" without discussion. The irony is that millions of law-abiding Americans actually use these versatile guns, while there do not seem to be any military forces that routinely carry an AR-15 or other semiautomatic sporting rifles as an officially-issued service weapon--at least the majority has not identified any. If these firearms were such devastating weapons of war, one would think that they would be standard issue for military forces across the globe. Whatever the potential military usefulness of these

" Nor does it appear that an AR-15-style rifle fires rounds that create a greater risk to civilians than rounds fired by a standard hunting rifle. In fact, just the opposite is true. The AR-15's standard .223/5.56 mm ammunition is "quite anemic in penetration capability and pale[s] in destructive capacity when compared to common civilian hunting rifles" J.A. 2095.

weapons, millions of American citizens actually use them for sporting purposes and possess them to defend themselves, their families and their homes. Indeed, plaintiffs' evidence suggests that "[t]he semi-automatic AR15 carbine is likely the most ergonomic, safe, readily available and effective firearm for civilian self-defense." J.A. 2091."

The semiautomatic firearms banned by Maryland are commonly "chosen by Americans for self-defense in the home" and are thus clearly protected by the Second Amendment--"[w]hatever the reason" for their popularity. Heller, 554 U.S. at 629. The real question is whether the district court applied the appropriate level of scrutiny in determining any limitations on Second Amendment protection. As explained below and in the now-vacated panel opinion, see Kolbe, 813 F.3d at 179-84, it did not.

II. Strict Scrutiny Applies

To select the proper level of scrutiny, we consider "the nature of the conduct being regulated and the degree to which

The majority's utilization of the "military use" theory instead of the common use test produces ironic results. For example, the law my colleagues uphold today permits Maryland residents to possess the M1 Garand rifle, which was the standard-issue battle rifle for American troops in World War II and the Korean War. The result of the holding in this case is that it is legal in Maryland to possess a rifle that was actually used by our military on the battlefield, but illegal to possess a rifle never used by our military.

the challenged law burdens the right.” Chester, 628 F.3d at 682. “A severe burden on the core Second Amendment right of armed self-defense should require strong justification.” United States v. Masciandaro, 638 F.3d 458, 470 (4th Cir. 2011) (internal quotation marks omitted). However, “laws that do not implicate the central self-defense concern of the Second Amendment[] may be more easily justified.” Id. (internal quotation marks omitted); see Nat’l Rifle Ass’n of Am., Inc. v. Bureau of Alcohol, Tobacco, Firearms & Explosives, 700 F.3d 185, 195 (5th Cir. 2012) (“A less severe regulation—a regulation that does not encroach on the core of the Second Amendment—requires a less demanding means-ends showing.”).

Maryland’s ban on the AR-15 and other semiautomatic rifles forbids its law-abiding citizens from purchasing commonly possessed firearms for use in their homes for the protection of self and family. By reaching into private homes, where the protection afforded by the Second Amendment is at its greatest, Maryland’s law clearly implicates the “core” of the Second Amendment: “the right of law-abiding, responsible citizens to use arms in defense of hearth and home.” Heller, 554 U.S. at 635. The Supreme Court in Heller made clear that the “inherent right of self-defense has been central to the Second Amendment,” id. at 628 (emphasis added), and that this central component of the Second Amendment is at its strongest within “the home where

the need for defense of self, family, and property is most acute," id. See also Kachalsky v. County of Westchester, 701 F.3d 81, 89 (2d Cir. 2012) ("What we know from [Heller and McDonald v. City of Chicago] is that Second Amendment guarantees are at their zenith within the home."). At stake here is a "basic right," McDonald v. City of Chicago, 561 U.S. 742, 767 (2010), "that the Framers and ratifiers of the Fourteenth Amendment counted . . . among those fundamental rights necessary to our system of ordered liberty," id. at 778. "The [Supreme] Court [in Heller] went to great lengths to emphasize the special place that the home-an individual's private property-occupies in our society." GeorgiaCarry.Org, Inc. v. Georgia, 687 F.3d 1244, 1259 (11th Cir. 2012).

The majority is incredulous that we would apply strict scrutiny to a law prohibiting the possession of a commonly used firearm to protect family and home. But, of course we would apply strict scrutiny—we have no other alternative in these circumstances. Once it is determined that a given weapon is covered by the Second Amendment, then obviously the in-home possession of that weapon for self-defense is core Second Amendment conduct and strict scrutiny must apply to a law that prohibits it. This position is not remarkable in the least, and I am not alone in this circuit in adhering to it. Indeed, a panel of this court recently made very clear in United States v.

Hosford that strict scrutiny applies when a law restricting possession of a firearm applies to conduct inside of the home and touches on self-defense concerns. See 843 F.3d 161, 168 (4th Cir. 2016). In Hosford, which was decided after en banc argument in this case, the defendant raised a Second Amendment challenge to his conviction under a law that “impose[d] a licensing requirement on those who wish[ed] to profit by regularly selling firearms outside of their personal collection.” Id. In explaining why the law at issue there should receive only intermediate scrutiny, the panel stated as follows:

Here, even assuming that the prohibition implicates conduct protected by the Second Amendment, the prohibition does not touch on the Second Amendment's core protections. Individuals remain free to possess firearms for self-defense. Individuals also remain free to purchase or sell firearms owned for personal, self-defensive use. . . . [The law] serves, not as a prohibition, but as a condition or qualification. The law, therefore, regulates rather than restricts, addresses only conduct occurring outside the home, and does not touch on self-defense concerns. It is thus subject to intermediate scrutiny.

Id. (emphasis added). In this passage, the Hosford panel very ably shows why intermediate scrutiny is required there, but strict scrutiny is required here. Under the Maryland law we consider today, individuals do not remain free to purchase or possess the banned firearms for self-defense inside of their homes. Thus, Maryland's law restricts rather than regulates; it

addresses conduct occurring inside the home; and it directly touches self-defense concerns in the home. Maryland's law imposes dramatic limitations on the core protections guaranteed by the Second Amendment and, as implicitly admitted by the Hosford panel, requires the court to apply strict scrutiny.

My friends in the majority do not apply strict scrutiny because they do not believe that the Maryland law significantly burdens the "core lawful purpose" of the Second Amendment. Their reasoning? Maryland left handguns (and other weapons) for its residents to use to defend their homes, and this ought to be enough. This line of thought was expressly rejected by the Supreme Court in Heller, which dismissed the District of Columbia's reverse contention that its handgun ban did not unconstitutionally burden the right to self-defense because long guns were still permitted for home defense. See Heller, 554 U.S. at 629 ("It is no answer to say, as petitioners do, that it is permissible to ban the possession of handguns so long as the possession of other firearms (i.e., long guns) is allowed."); accord Parker v. District of Columbia, 478 F.3d 370, 400 (D.C. Cir. 2007) (rejecting the District's argument that alternative weapons rendered handgun ban lawful, calling it "frivolous," and noting that "[i]t could be similarly contended that all firearms may be banned so long as sabers were permitted"). As long as the firearms chosen are those commonly possessed by the American

people for lawful purposes—and the rifles at issue here most certainly are—states cannot prohibit their residents from purchasing them for self-defense in the home unless that restriction can meet strict scrutiny review.

The majority, however, implies that this portion of Heller does not apply to a ban of commonly possessed firearms if handguns are still available to the homeowner because handguns are “the quintessential self-defense weapon.” 554 U.S. at 629. If the majority were correct, then any state “would be free to ban all weapons except handguns, because handguns are the most popular weapon chosen by Americans for self-defense in the home.” Caetano, 136 S. Ct. 1032 (Alito, J., concurring) (internal quotation marks omitted). Under the majority’s logic, a state could similarly ban all shotguns, even those commonly used in hunting, and not transgress the Second Amendment, so long as handguns remained lawful to possess. The fact that handguns are still available is irrelevant. If other firearms, though “less popular than handguns,” are nonetheless “widely owned and accepted as a legitimate means of self-defense across the country,” they cannot be banned simply because more popular handguns are not. Id. at 1033.

Finally, we are told that the ban on semiautomatic rifles is not burdensome because these weapons are not even well-suited for defense of hearth and home—handguns are better and that is

all law-abiding citizens need.⁶ This is patently wrong. First, there are legitimate reasons for citizens to favor semiautomatic rifles over handguns in defending themselves and their families at home. The record contains evidence, which on summary judgment was to be viewed in the light most favorable to the plaintiffs, suggesting that "handguns are inherently less accurate than long guns" as they "are more difficult to steady" and "absorb less of the recoil[,] . . . [thus] reducing accuracy." J.A. 2131. This can be an important consideration for a typical homeowner, who "under the extreme duress of an armed and advancing attacker is likely to fire at, but miss, his or her target." J.A. 2123. "Nervousness and anxiety, lighting conditions, the presence of physical obstacles . . . , and the mechanics of retreat are all factors which contribute to [the] likelihood" that the homeowner will shoot at but miss a home invader. Id. These factors could also affect an individual's ability to reload a firearm quickly during a home invasion.

⁶ If, as the majority says, there is "scant evidence" that the prohibited semiautomatic rifles are well-suited for home defense, then there is even less reason to believe that these weapons are best suited for combat operations. After all, it cannot be disputed that one reason non-criminal citizens actually keep these weapons at home is for self-defense. I have searched the record in vain for the statistics on how many standing armies issue AR-15s or semiautomatic-only-weapons to their troops. I do not believe there are any.

Similarly, a citizen's ability to defend himself and his home is enhanced with an LCM.

Second, the means selected by citizens to defend themselves and their families at home is an intensely personal choice dependent upon circumstances unique to each individual. Not everyone who would bear arms in defense of his home is comfortable or confident using a handgun. As long as the weapon chosen is one commonly possessed by the American people for lawful purposes—and the rifles at issue here most certainly are—the state has very little say about whether its citizens should keep it in their homes for protection. “The question under Heller is not whether citizens have adequate alternatives available for self-defense. Rather, Heller asks whether the law bans types of firearms commonly used for a lawful purpose—regardless of whether alternatives exist.” Friedman v. City of Highland Park, 136 S. Ct. 447, 449 (2015) (Thomas, J., dissenting from the denial of certiorari). “[T]he Second Amendment confers rights upon individual citizens—not state governments,” and it clearly does not “delegate to States and localities the power to decide which firearms people may possess.” Id. “The very enumeration of the right takes out of the hands of government—even the Third Branch of Government—the power to decide on a case-by-case basis whether the right is really worth insisting upon.” Heller, 554 U.S. at 634.

Nevertheless, Maryland has taken the choice away from its residents and simply determined that, regardless of the circumstances in any case, its people, whether living in a 700 square-foot apartment or a 50-acre farm, may only protect their loved ones with one of the guns the State thinks they should use—perhaps a handgun, or a slow-to-load bolt-action hunting rifle or a shotgun with heavy recoil. “The right to self-defense is largely meaningless if it does not include the right to choose the most effective means of defending oneself.” Friedman v. City of Highland Park, 784 F.3d 406, 418 (7th Cir. 2015) (Manion, J., dissenting). Indeed, “the ultimate decision for what constitutes the most effective means of defending one’s home, family, and property resides in individual citizens and not the government. . . . The extent of danger—real or imagined—that a citizen faces at home is a matter only that person can assess in full.” Id. at 413.

For a law-abiding citizen who, for whatever reason, chooses to protect his home with a semi-automatic rifle instead of a semi-automatic handgun, Maryland’s law clearly imposes a significant burden on the exercise of the right to arm oneself at home, and it should at least be subjected to strict scrutiny review before it is allowed to stand.

For the reasons I have set forth, I respectfully dissent.

TRAXLER, Circuit Judge, dissenting as to Part IV.A and concurring as to Part IV.B:

For the reasons set forth in the now-vacated panel opinion, I dissent from the majority's opinion on the equal protection claim. See Kolbe v. Hogan, 813 F.3d 160, 199-202 (4th Cir. 2016).

I concur in the result reached by the majority with respect to the vagueness challenge, for the reasons expressed in the now-vacated panel opinion. See id. at 190-92.

To: Turk, Ronald B. (b) (6)
From: Richardson, Marvin G.
Sent: Tue 2/21/2017 6:25:46 PM
Subject: Re: AFMER

I will follow up.

Marvin G. Richardson
Assistant Director, ATF

On Feb 21, 2017, at 11:08 AM, Turk, Ronald B. <(b) (6)> wrote:

Hi Marvin – received the below request. Do you know who has the pen on releasing this report/where it stands?

“Could NSSF get the Final 2015 AFMER posted (usually it is posted in Feb each year) and sent to us (a little ahead/at time of posting would be wonderful)?

Thanks,
Ron

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Tue 2/21/2017 4:27:53 PM
Subject: RE: 2015 Full AFMER

Sure 202-648 (b) (6)

From: Larry Keane [mailto:(b) (6)]
Sent: Tuesday, February 21, 2017 11:27 AM
To: Turk, Ronald B. (b) (6)
Subject: RE: 2015 Full AFMER

Do you have 3 mins for a quick call?

From: Ronald B. Turk (b) (6)
Sent: Tuesday, February 21, 2017 11:09 AM
To: Larry Keane
Subject: RE: 2015 Full AFMER

Doing fine Larry – hope you are as well. I'll look into it & get back with you.

Ron

From: Larry Keane [mailto:(b) (6)]
Sent: Tuesday, February 21, 2017 11:00 AM
To: Turk, Ronald B. (b) (6)
Subject: FW: 2015 Full AFMER

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Subject: FW: 2015 Full AFMER

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Thank you,

(b) (6)

From: (b) (6) [mailto:(b) (6)]
Sent: Tuesday, February 21, 2017 9:47 AM
To: (b) (6)
Subject: FW: 2015 Full AFMER

(b) (6)

Good morning.

We are currently still waiting for HQ to post the 2015 final report. Hopefully, it will be posted within the next few weeks. Once it is released, we can provide you the Excel spreadsheet.

(b) (6)

Industry Operations Specialist
Federal Firearms Licensing Center
244 Needy Road
Martinsburg, WV 25405
Phone (b) (6)
Fax (866)257-2749
Email (b) (6)

From: (b) (6)
Sent: Tuesday, February 21, 2017 8:20 AM
To: (b) (6)
Subject: RE: 2015 Full AFMER

Good Morning (b) (6)

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I will speak with the group as to this request. Thank you for the great working relationship, and hopefully I will have an opportunity to work with you again in the future.

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Bureau of Alcohol, Tobacco, Firearms and Explosives
Enforcement Programs & Services (EPS)
Firearms & Explosives Service Division (FESD)
Phone (b) (6)
Fax (304) 616-4591

From: (b) (6) [mailto:(b) (6)@nssf.org]
Sent: Monday, February 20, 2017 2:54 PM
To: (b) (6)
Subject: 2015 Full AFMER

Hello (b) (6)

When you get a chance please let me know expected release date for the full 2015 AFMER data.

I'd also like to request an excel file of the data similar to past years.

Thank you,

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From: (b) (6)
Sent: Tuesday, February 23, 2016 10:03 AM
To: (b) (6)
Subject: RE: 2014 AFMER

Here you go (b) (6) Data is current as of Feb 3, 2016.

Hope all is well.

(b) (6)

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Director, Industry Research & Analysis
NSSF
11 Mile Hill Rd
Newtown, CT 06470
W. (b) (6)
C. (b) (6)
(b) (6)

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/21/2017 4:26:39 PM
Subject: RE: 2015 Full AFMER

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From: Ronald.B.Turk (b) (6)
Sent: Tuesday, February 21, 2017 11:09 AM
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NSSF
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Newtown, CT 06470
W. (b) (6)
C. (b) (6)

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Tue 2/21/2017 4:08:22 PM
Subject: AFMER

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/21/2017 3:59:42 PM
Subject: FW: 2015 Full AFMER

Ron

Hope you are well. See email thread below. Could NSSF get the Final 2015 AFMER posted (usually it is posted in Feb each year) and sent to us (a little ahead/at time of posting would be wonderful)?

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Sent: Tuesday, February 23, 2016 8:11 AM
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Subject: 2014 AFMER

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(b) (6) [REDACTED]

(b) (6) [REDACTED]

Director, Industry Research & Analysis

NSSF

11 Mile Hill Rd

Newtown, CT 06470

W.

C.

(b) (6) [REDACTED]

(b) (6) [REDACTED]

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/21/2017 3:28:42 PM
Subject: Underreported: How Gun Silencers Became a Health Issue

FYI - <http://dailysignal.com/2017/02/19/underreported-how-gun-silencers-became-a-health-issue/>

Lawrence Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office

400 No. Capitol St., NW

Suite 490

Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470



*NSSF is the trade association for America's firearms industry.
Our mission: To promote, protect and preserve hunting and
the shooting sports*

CONFIDENTIALITY NOTICE: This e-mail message and any attached files are confidential and are intended solely for the use of the addressee(s) named above. This confidential communication may contain material protected by the attorney-client privilege, the common interest/joint defense privilege, the attorney work product doctrine or other privilege. If you are not an intended recipient, then you have received this confidential communication in error. Any review, use, dissemination, forwarding, printing, copying or other distribution of this e-mail message, and any attached file(s), is strictly prohibited and you may be liable to the sender and/or the intended recipient(s) for violating this confidentiality notice. If you have received this confidential communication in error, please notify the sender immediately by reply e-mail message or by telephoning, Lawrence G. Keane, at (203) 426-1320, and permanently delete the original email message, and any attached file(s), and all electronic or paper copies.

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or Recommending to another party any tax-related matter addressed herein. We Provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.

To: Turk, Ronald B. (b) (6) Gleysteen, Michael (b) (6)
Cc: Allen, Joseph J. (b) (6)
From: Shaefer, Christopher C.
Sent: Wed 2/15/2017 9:16:56 PM
Subject: FW: Darkside Defense Website
[DarksideDefense 021417.docx](#)

Sirs – for your awareness.

-Chris

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) C: (b) (6)



From: (b) (6)
Sent: Wednesday, February 15, 2017 3:42 PM
To: Bennett, Megan A. (b) (6)
Cc: Shaefer, Christopher C. (b) (6)
(b) (6)
Subject: Darkside Defense Website

Megan

FYI. The Digital Media Division is working on creating the webpage for redirection from the Darkside Defense website that we seized. It should be done later today. We have worked with Denver FD on the approved release and it will post tomorrow once the site link is completed.

Best regards,

(b) (6)
Bureau of Alcohol, Tobacco, Firearms and Explosives
National Public Affairs Office
202.648 (b) (6) Direct
(b) (6) Cell
Washington, DC





NEWS RELEASE

Denver Field Division



Office of Public Affairs
202-648-8500
Denver Field Division
303-575-7611
@ATFHQ on Twitter

For Immediate Release
Feb. 16, 2017
www.atf.gov

ATF requests citizens turn in Darkside Defense solvent traps, silencers

WASHINGTON — The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is requesting anyone who possesses a Darkside Defense solvent trap or silencer to contact their nearest ATF office or call 1-800-ATF-GUNS to voluntarily surrender the item.

An ongoing investigation by the ATF Denver Field Division into Darkside Defense in Logan, Utah, revealed the business was illegally manufacturing, transporting and selling silencers. For the first time, ATF has seized a website as part of an ongoing investigation.

Under the National Firearms Act (NFA), it is a violation of federal law to manufacture, receive, transport and/or deliver a silencer not registered in the National Firearms Registration and Transfer Record.

Anyone voluntarily surrendering a Darkside Defense solvent trap or silencer will not be charged with illegally possessing the firearm, unless he or she is prohibited from possessing a firearm. Recovering illegal firearms is a routine action after an illegal firearms business is shut down.

"We appreciate the voluntary surrendering of the silencers," said Acting ATF Denver Field Division Special Agent in Charge Ron Humphries. "ATF will continue to work with the business owner to recover all the illegal silencers as quickly as possible."

As part of the ongoing investigation, ATF executed a federal warrant to seize the Darkside Defense website at www.darksidedefense.com. Visitors are redirected to ATF's website and will see the following notice.

-MORE-

About ATF

The Bureau of Alcohol, Tobacco, Firearms and Explosives is a highly specialized agency within the Department of Justice whose main goal is preventing, interrupting and removing violent crime from American communities. ATF investigates and prosecutes crimes involving arson, explosives, alcohol and tobacco diversion and the illegal possession, use and trade of firearms. The Denver Field Division works with local, state and federal law enforcement and public safety organizations to combat violent crime in Colorado, Wyoming, Montana and Utah. For more information about ATF, visit www.atf.gov.



The website www.darksidedefense.com has been seized by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in accordance with a seizure warrant obtained by the United States Attorney's Office for the District of Utah.

It is a violation of federal law to manufacture, receive, transport, and/or deliver a silencer not registered in the National Firearms Registration and Transfer Record (26 U.S.C. § 5861).

The possession of a silencer sold by Darkside Defense is a violation of federal law. If you are in possession of a silencer sold by Darkside Defense, you should contact your nearest ATF office or call 1-800-ATF-GUNS.

-30-

About ATF

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Protecting the Public ■ Serving Our Nation

To: Turk, Ronald B. (b) (6)
From: NSSF Alert
Sent: Wed 2/15/2017 9:02:46 PM
Subject: Contact your Member of Congress TODAY and Urge your Representative to Cosponsor H.J. Res. 69

Urge your U.S. Representative to Cosponsor H.J. Res. 69

H.J. Res. 69, Disapproving U.S. Fish and Wildlife 2016 Rule Seizing Authority from State of Alaska and Setting Dangerous Precedent for Lower 48

Your Immediate Action is Needed and Appreciated

In August 2016, through an unprecedented power grab, the U.S. Department of the Interior published a final rule that preempts state management authority, enforces top-down management policies, and violates the rule of law. Among other things, the FWS final rule fundamentally changes the very successful federal-state relationship in managing National Wildlife Refuges (NWR), by removing the authority of Alaska Department of Fish and Game to manage Alaska fish and wildlife for both non-subsistence and subsistence use.

Without the passage of H.J. Res. 69, the final rule could set a dangerous precedent and be applied nationally, which would universally remove state fish and wildlife agencies' authority to manage fish and wildlife adversely impacting Americans who pursue fish and wildlife on refuges.

Please take this opportunity to call today to urge your U.S. Representative to support H.J. Res. 69 and help protect and preserve our cherished outdoor traditions.

United States Capitol Switchboard: 202-224-3121

Look up your U.S. Representative: <http://nssf.it/CongLookup>

NSSF Government Relations Resources

[Unsubscribe ronald.turk@atf.gov](#)
[Update Profile](#) | [About our service provider](#)
Sent by alert@nssf.org in collaboration with

Try it free today

To: Brandon, Thomas E. (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/14/2017 9:28:22 PM
Subject: RE: Feds: Large Bay Area stolen gun ring busted after undercover operation

Of that I had not doubt!

From: Thomas.E.Brandon (b) (6)
Sent: Tuesday, February 14, 2017 4:16 PM
To: Larry Keane
Cc: Ronald.B.Turk (b) (6)
Subject: Re: Feds: Large Bay Area stolen gun ring busted after undercover operation

10-4, Larry. Thanks for letting us know. Please know the High Point case is a priority to us and our folks (our laboratory too) are well engaged with the local PD.

Sent from my iPad

On Feb 14, 2017, at 4:13 PM, Larry Keane (b) (6) wrote:

Ha! Typical. I figured it was ATF. Great news.

The High Point, NC case is horrible. It is on (freshman) Congress Budd's district. He is an FFL. We are speaking with him - literally this morning - about these very issues.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation
W: (b) (6)
M: (b) (6)
(b) (6)
www.nssf.org
Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

On Tue, Feb 14, 2017 at 3:53 PM -0500, "Thomas.E.Brandon (b) (6)" (b) (6) wrote:

Thanks, Larry. It was an ATF investigation. The press wrongly assumed it was FBI. Tom

Sent from my iPad

On Feb 14, 2017, at 12:59 PM, Larry Keane <(b) (6)> wrote:

Good work!!! If guilty I hope the judge hammers them!

<http://www.mercurynews.com/2017/02/13/feds-large-bay-area-stolen-gun-ring-busted-after-undercover-operation/>

Lawrence Keane
Senior Vice President, Assistant Secretary
& General Counsel
National Shooting Sports Foundation

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Newtown, CT 06470

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To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Brandon, Thomas E.
Sent: Tue 2/14/2017 9:16:21 PM
Subject: Re: Feds: Large Bay Area stolen gun ring busted after undercover operation

10-4, Larry. Thanks for letting us know. Please know the High Point case is a priority to us and our folks (our laboratory too) are well engaged with the local PD.

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To: Brandon, Thomas E. (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/14/2017 8:56:40 PM
Subject: Re: Feds: Large Bay Area stolen gun ring busted after undercover operation

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To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6)
From: Brandon, Thomas E.
Sent: Tue 2/14/2017 8:50:40 PM
Subject: Re: Feds: Large Bay Area stolen gun ring busted after undercover operation

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Sent from my iPad

On Feb 14, 2017, at 12:59 PM, Larry Keane <(b) (6)> wrote:

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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Tue 2/14/2017 6:07:12 PM
Subject: Re: Feds: Large Bay Area stolen gun ring busted after undercover operation

Thanks Larry

On Feb 14, 2017, at 12:59 PM, Larry Keane <(b) (6)> wrote:

Good work!!! If guilty I hope the judge hammers them!

<http://www.mercurynews.com/2017/02/13/feds-large-bay-area-stolen-gun-ring-busted-after-undercover-operation/>

Lawrence Keane
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To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 2/14/2017 6:01:31 PM
Subject: Feds: Large Bay Area stolen gun ring busted after undercover operation

Good work!!! If guilty I hope the judge hammers them!

<http://www.mercurynews.com/2017/02/13/feds-large-bay-area-stolen-gun-ring-busted-after-undercover-operation/>

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To: All Assistant Directors (b) (6)
Cc: (b) (6)
From: Bennett, Megan A.
Sent: Mon 2/13/2017 4:05:16 PM
Subject: PGA Weekly Report for February 13, 2017
[PGA Weekly Report for 020617.docx](#)
[ATF New Clips Feb 11-13.docx](#)

Assistant Directors,

This is a weekly informal summary of key activities conducted by PGA and upcoming key activities that is provided for high-level situational awareness.

This report is for limited internal distribution to those listed above, as much of what is summarized is deliberative and subject to change. This report does not represent all activities or all details, only those determined necessary to brief for situational awareness. If you desire further information on any of the summarized activities, please contact me directly.

Megan A. Bennett
Deputy Assistant Director
Office of Public and Governmental Affairs
Bureau of Alcohol, Tobacco, Firearms and Explosives
Direct: 202.648 (b) (6) Cell: (b) (6)





ATF

Bureau of Alcohol, Tobacco, Firearms,
and Explosives



Office of Public and Governmental Affairs (PGA)

Weekly Update Report – February 13, 2017

This internal ATF summary provides general highlights of activities conducted by PGA and those anticipated in the short term. The activities below do not cover all activities performed. This report is prepared for high-level situational awareness of executive staff.

Last Week's Highlights

Legislative Affairs Division (LAD)

General

- The US Senate was in session last week.
- The US House was in session last week.
- The full Senate confirmed Jeff Sessions by roll call vote 52 yeas to 47 nays and Vice President Pence swore him in as the Attorney General of the United States in an Oval Office ceremony.

US Senate

- Evaluating Sen. John Cornyn's (R-TX) draft legislation creating Project Safe Communities, a program similar to Project Safe Neighborhoods.
- Responded to Sen Marco Rubio's (R-FL) inquiry regarding an inspection of Chemring and the status of a settlement agreement with ATF.

US House

- Responded to Rep. Raul Labrador's (R-ID) inquiry regarding a constituent seeking restoration of firearms rights.
- Responded to Rep Michelle Lujan-Grisham's (D-NM) inquiry regarding a case that remains pending in court.
- Responded to Rep Ryan Costello's (R-PA) inquiry regarding a constituent seeking to reclaim his firearm, which was stolen and subsequently used in a crime in New York.

Congressional Committees

- Responded through JMD Appropriations Liaison to Senate CJS staff questions about the Chicago Strike Force.

Public Affairs Division (PAD)

- PAD assisted the Charlotte Field Division with an interview of FFL thefts in the Carolinas. The interview will air at the end of the month following a round up operation in Charleston, SC.

- A story coordinated by PAD on “ghost guns” aired on NBC Nightly News. The story has led to local media outlets contacting PAD for additional interviews.

IGA

- IGA staff attended the National Sheriff’s Association Winter meeting in Washington DC from February 4-7, 2017, and the subsequent joint conference of the Major County Sheriff’s/Major Cities Chiefs on February 8-9, 2017.
- IGA staff attended the National Officers Association Coalition meeting in Washington DC from February 4-8, 2017. The Acting Director made remarks before the group on February 8, 2017.

Digital Media Division (DMD)

- Despite limiting Form 4473 requests to 1,000 per order, the Distribution Center ran out of forms on February 10, 2017. The next shipment will arrive February 15-16, 2017. DMD will continue to take orders and will finish processing them once the new shipment arrives. Five million additional Form 4473s are in production and are on the way to the Distribution Center.
- Completed production of Ariel Rios commemorative certificates.
- Finished full HD audio/visual upgrade of the 3-East conference room. This is the second East-wing conference room completed. Our goal is to complete these same upgrades in each of the remaining East-wing conference rooms by the end of the second quarter.
- Produced several print products to include: storyboards for Black History Month, security and emergency program signs for ATF Field Offices, Low Light M4/Pistol Qualification instructional sheets, Certificates of Appreciation for Disney Parks staff for pyrotechnic assistance and Length of Service Awards.

Disclosure Division (DD)

- The Disclosure Division hosted a FOIA overview training with the Office of Information Policy.
- Division Chief Stephanie Boucher provided FOIA training to the Human Resources Operations Division.

Upcoming Activities and Events

LAD

General

- The US Senate is in session this week.
- The US House is in session this week.

US Senate

- Planning an outreach visit with Sen. Susan Collins (R-ME).

US House

- No significant activity to report.

Congressional Committees

- Planning an outreach visit to the House Judiciary Committee Democratic staff.
- Planning an outreach visit to the Senate Judiciary Committee Republican staff.

PAD

- PAD will host training at HQ for new PIOs serving in ATF Field Divisions. The week-long training will offer tours of ATF facilities and guidance on ATF policies and communication practices.

IGA

- IGA staff will be attending the Americans for Responsible Solutions new “Law Enforcement Coalition for Common Sense” meeting at the Rayburn House Office Building at 2:00pm on Monday, February 13, 2017.

DMD

- Tentative video/photography shoots at NCETR are scheduled for March 26-31, 2017.

DD

- Continued back log reduction.

Congressionals Received Last Week

Monday, February 6, 2017

- Congressman Austin Scott; Constituent (b) (6) Issue: Federal Tax Stamp; Assigned to LAD.

Tuesday, February 7, 2017

- Congressman Paul Ryan; Constituent (b) (6) Issue: Suppressor on firearm; Assigned to LAD.

Wednesday, February 8, 2017

- No congressionals received.

Thursday, February 9, 2017

- Congresswoman Carol Shea-Porter; Constituent (b) (6) Issue: Transfer of Firearm; Assigned to LAD.
- Congresswoman Jackie Walorski; Constituent (b) (6) Issue: Restoration of Gun Rights; Assigned to LAD

Friday, February 10, 2017

- No congressionals received.

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Thur 2/9/2017 11:15:19 PM
Subject: Re: ATF Disaster

10-4

On Feb 9, 2017, at 6:10 PM, Shaefer, Christopher C. (b) (6) wrote:

Just FYI below

Regards,

Christopher Shaefer | ATF Assistant Director
Public and Governmental Affairs | O: [202.648.6486](tel:202.648.6486) (b) (6) C: (b) (6)
Begin forwarded message:

From: "Bennett, Megan A." (b) (6)
Date: February 9, 2017 at 6:06:03 PM EST
To: "Shaefer, Christopher C." (b) (6)
Subject: Fwd: ATF Disaster

Megan A. Bennett

Begin forwarded message:

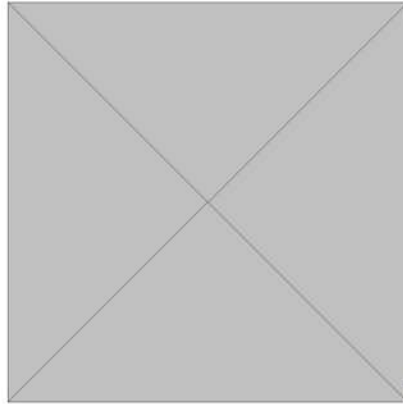
From: (b) (6) Brady Campaign to Prevent Gun Violence"
(b) (6)
Date: February 9, 2017 at 3:47:24 PM EST
To: Megan.A.Bennett@atf.gov (b) (6)
Subject: ATF Disaster
Reply-To: brady@bradymail.org



Dear Megan,

Last night, the Senate confirmed noted gun lobby lap dog Jeff Sessions as America's top law

enforcement officer in a 52-47 vote.



With Sessions in charge as Attorney General, the Senate poised to vote on a bill that would make it easier for people with dangerous mental illnesses to obtain guns, the NRA calling on President Trump to ease up on “bad apple” gun dealers, and ATF chief operating officer Ronald Turk saying he doesn’t think the ATF should enforce already lax laws, it can feel like a daunting environment.

But, we can’t give up hope. We are the majority and we WILL win.

YOUR support allows Brady to fight “bad apple” gun dealers in the courts. YOUR help allows us to take the issue of expanded Brady background checks directly to voters. YOUR support allows us to show politicians that 93% of us are united for stronger gun laws.

This is just the beginning of the fight to defend the progress we’ve made, but YOU can make sure we’re successful. [Chip in \\$5 today](#) so we can keep fighting, keep winning, and keep making this the safer nation we all want and deserve.

Yours in the fight,

Dan

Donate \$5!

Connect With Us:

Facebook

Twitter

Contact Info:

Brady Campaign to Prevent Gun Violence
840 First Street, NE
Suite 400
Washington, DC 20002
United States

[unsubscribe](#)

If you believe you received this message in error or wish to no longer receive email from us, please [unsubscribe](#).

To: Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Thur 2/9/2017 11:10:32 PM
Subject: Fwd: ATF Disaster

Just FYI below

Regards,

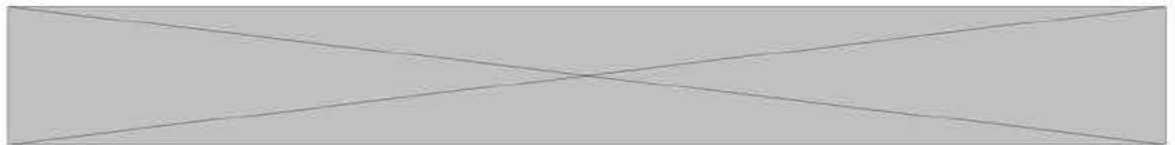
Christopher Shaefer | ATF Assistant Director
Public and Governmental Affairs | O: [\(b\) \(6\)](tel:202.648.) C: (b) (6)
Begin forwarded message:

From: "Bennett, Megan A." <(b) (6)>
Date: February 9, 2017 at 6:06:03 PM EST
To: "Shaefer, Christopher C." <(b) (6)>
Subject: Fwd: ATF Disaster

Megan A. Bennett

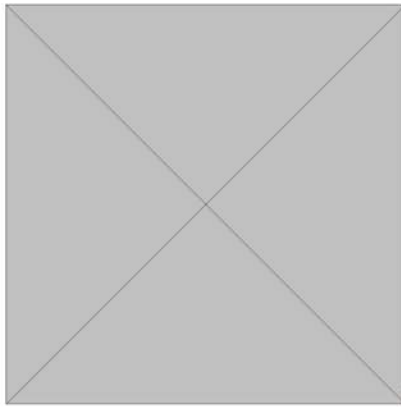
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(b) (6)
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United States

[unsubscribe](#)

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From: Turk, Ronald B.
Location: DCR
Importance: Normal
Subject: Declined: Meeting with ASA/NRA - Hearing Protection Act
Start Date/Time: Thur 2/9/2017 2:00:00 PM
End Date/Time: Thur 2/9/2017 3:00:00 PM

From: Gilbert, Curtis W.
Location: DCR
Importance: Normal
Subject: Meeting with ASA/NRA - Hearing Protection Act
Start Date/Time: Thur 2/9/2017 2:00:00 PM
End Date/Time: Thur 2/9/2017 3:00:00 PM

Exchange Server re-created a meeting that was missing from your calendar.

Sent by Microsoft Exchange Server

From: Microsoft Outlook
Location: DCR
Importance: Normal
Subject: Meeting with ASA/NRA - Hearing Protection Act
Start Date/Time: Thur 2/9/2017 2:00:00 PM
End Date/Time: Thur 2/9/2017 3:00:00 PM

Exchange Server re-created a meeting that was missing from your calendar.

Sent by Microsoft Exchange Server

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 2/7/2017 8:20:30 PM
Subject: RE: FYI

10-4

From: Shaefer, Christopher C.
Sent: Tuesday, February 7, 2017 2:47 PM
To: Turk, Ronald B. (b) (6)
Subject: FYI

Hi Sir – just for your awareness, please see below [fund raising email](#):

Dear John,

Last week, the gun industry's chief lobbyist and head of the National Rifle Association got a warm welcome from the new President at the White House. Yesterday, we told you that the Senate is poised to roll back a rule that keeps guns out of the hands of people who are a danger to themselves or others. And now the head of the ATF -- the agency in charge of gun safety -- wants to decrease enforcement of already lax gun rules.

Make no mistake. These are just the *first steps* in the all-fronts attack on gun safety regulations.

We have a fight of our lives ahead of us. This is just the beginning.

But to keep up the fight, we need resources. [Make a donation of just \\$5 or more per month](#) today so we can protect the gains we've made and the laws that save lives.

Yours in the fight,

Dan

Commit \$5 a Month!

Connect With Us:



Contact Info:

Brady Campaign to Prevent Gun Violence
840 First Street, NE
Suite 400
Washington, DC 20002
United States

[unsubscribe](#)

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648.(b) (6) | c:(b) (6)



To: Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Tue 2/7/2017 7:46:43 PM
Subject: FYI

Hi Sir – just for your awareness, please see below [fund raising email](#):

Dear John,

Last week, the gun industry's chief lobbyist and head of the National Rifle Association got a warm welcome from the new President at the White House. Yesterday, we told you that the Senate is poised to roll back a rule that keeps guns out of the hands of people who are a danger to themselves or others. And now the head of the ATF -- the agency in charge of gun safety -- wants to decrease enforcement of already lax gun rules.

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Dan

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Contact Info:

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840 First Street, NE
Suite 400
Washington, DC 20002
United States

[unsubscribe](#)

Regards,

Christopher Shaefer | Assistant Director

Public and Governmental Affairs | O: 202.648 (b) (6) | c: (b) (6)



To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Mon 2/6/2017 11:25:47 PM
Subject: Re: Breaking News: ATF Officials Propose Loosening Numerous Gun Regulations Including Removal of Suppressors from NFA | OutdoorHub

10-4

On Feb 6, 2017, at 6:11 PM, Shaefer, Christopher C. <(b) (6)> wrote:

FYI - This article has a picture of the front page...

<http://www.outdoorhub.com/news/2017/02/06/breaking-news-atf-officials-propose-loosening-numerous-gun-regulations-including-removal-suppressors-nfa/>

Regards,

Christopher Shaefer | ATF Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) C: (b) (6)

To: Turk, Ronald B (b) (6)
From: Shaefer, Christopher C.
Sent: Mon 2/6/2017 11:11:50 PM
Subject: Breaking News: ATF Officials Propose Loosening Numerous Gun Regulations Including Removal of Suppressors from NFA | OutdoorHub

FYI - This article has a picture of the front page...

<http://www.outdoorhub.com/news/2017/02/06/breaking-news-atf-officials-propose-loosening-numerous-gun-regulations-including-removal-suppressors-nfa/>

Regards,

Christopher Shaefer | ATF Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | C: (b) (6)

From: Turk, Ronald B.
Location: DCR
Importance: Normal
Subject: Accepted: Meeting with ASA/NRA - Hearing Protection Act
Start Date/Time: Thur 2/9/2017 2:00:00 PM
End Date/Time: Thur 2/9/2017 3:00:00 PM

From: Gilbert, Curtis W.
Location: DCR
Importance: Normal
Subject: Meeting with ASA/NRA - Hearing Protection Act
Start Date/Time: Thur 2/9/2017 2:00:00 PM
End Date/Time: Thur 2/9/2017 3:00:00 PM

This meeting is to provide education to the ASA/NRA on the Hearing Protection Act. If at all possible, I would rather not have anyone call in but be present at the meeting.

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Tue 1/24/2017 11:15:59 PM
Subject: Re: Good samaritans scare off suspects attempting to rob gun store | KRQE News 13

Thanks Larry

On Jan 24, 2017, at 3:17 PM, Larry Keane (b) (6) wrote:

<http://krqe.com/2017/01/19/good-samaritans-scare-off-suspects-attempting-to-rob-gun-store/>

Lawrence Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
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<image001.jpg>

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*NSSF is the trade association for America's firearms industry.
Our mission: To promote, protect and preserve hunting and
the shooting sports*

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 1/24/2017 8:20:27 PM
Subject: Good samaritans scare off suspects attempting to rob gun store | KRQE News 13

<http://krqe.com/2017/01/19/good-samaritans-scare-off-suspects-attempting-to-rob-gun-store/>

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To: All Assistant Directors (b) (6)
Cc: Bennett, Megan A (b) (6)
From: Shaefer, Christopher C.
Sent: Tue 1/24/2017 12:32:23 PM
Subject: FW: Summary of AG-Designate Jeff Sessions' Confirmation Hearing
[Sessions Confirmation Hearing Summary.docx](#)

Colleagues – attached is an summary, prepared by Chief (b) (6) and his LAD staff, of AG Nominee Sessions' confirmation hearings as they related to his DOJ and law enforcement background. Also included are his written responses to QFRs. Although 10 pages of length, there are many salient points that can be gleaned to provide insight into Senator Sessions' thoughts, beliefs and direction in which he would lead the Department.

NOTE – Although anticipated that his Senate vote for confirmation would occur this week, the news is reporting that today, during the Committee meeting, Senator Feinstein will formally request the vote on Senator Sessions be delayed one week. Under Judiciary committee rules, any member of the committee may ask that any nominee be held over for one week before receiving a vote. If honored, this request will delay the vote until January 31, 2017. If this changes I will let you know and update accordingly.

-Chris

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) c: (b) (6)



**ATF**

Bureau of Alcohol, Tobacco, Firearms, and Explosives
Legislative Affairs Division



115th Congress

US Senate Confirmation Hearings

Attorney General-Designate Jeff Sessions

On January 10 and 11, 2017, the Senate Judiciary Committee exercised its constitutional power of “advise and consent” by holding a confirmation hearing for Attorney General-Designate Senator Jeff Sessions (R-AL).

Protesters interrupted the hearing numerous times and on the second day of the hearings, when outside witnesses were heard, Senator Cory Booker (D-NJ) testified in opposition to Sen. Sessions’ nomination – an act which rarely happens.

A summary of the ATF-related issues from the hearing follows:

SENATOR JEFF SESSIONS’ OPENING STATEMENT

- Sen. Sessions spoke of his support for law enforcement and asked members of law enforcement organizations in the audience to stand up to be recognized.
- Sen. Sessions observed, “Since the early 1980s, good policing and prosecutions over a period a years have been a strong force in reducing crime, making our communities safer.”
- He also stated, “drug use and murders are half what they were in 1980 when I became a United States attorney.”
- He expressed concern over the murder rate, particularly pointing to Baltimore and Chicago, and he also expressed his concern for the heroin epidemic.
- He stated, “If I am confirmed, we will systematically prosecute criminals who use guns in committing crimes. As United States attorney, my office was a national leader in gun prosecutions nearly every year.”

SENATOR JOHN CORNYN’S QUESTION

- Senator John Cornyn (R-TX) asked a question relating to gun crimes.
- He referenced “an incredible number of people, frequently in minority communities, who’ve been killed as results of crimes related to felons who perhaps are in possession of guns that they have no legal right to be in possession of,”
 - Sen. Sessions stated his view that “federal gun laws can reduce crime and violence in our cities.”
 - Sen Sessions said, “When I was the United States attorney in the '80s and into the early '90s, ... we produced a newsletter that went out to all local law enforcement called Project Triggerlock. It went to federal law enforcement, too, and it highlighted the progress that was being made by prosecuting criminals who use guns to carry out their crimes. Criminals are most likely the kind of person that will shoot somebody when they go about their business. And if those people are not carrying guns because they believe they might go federal court, be sent to a federal jail for

five years, perhaps they'll stop carrying those guns during that drug dealing and their other activities that are criminal.”

- Sen. Sessions concluded that “The culture, the communities are safer with fewer guns in the hands of criminals.

SENATOR TED CRUZ’S QUESTION

- Senator Ted Cruz (R-TX) used his round of questioning to highlight a series of examples which he felt constituted DOJ overreach. This included citing Fast & Furious.
- Sen. Cruz said, “For eight years we've seen a Department of Justice consistently disregarding the rule of law. When Eric Holder's Department of Justice allowed illegal gun transactions, illegally sold guns to Mexican gun traffickers as part of Fast and Furious, guns that were later used to murder border patrol agent Brian Terry, the Democratic members of this committee were silent. When Eric Holder was found in contempt of Congress, for refusing to cooperate with Congress' investigation into Fast and Furious, once again the Democratic members of this committee were silent.”
 - Ultimately, the question asked of Sen. Sessions wasn’t related to guns, ATF, or Fast & Furious, and it wasn’t discussed further.

SENATOR MICHAEL CRAPO’S QUESTION

- Senator Michael Crapo (R-ID), in his comments, expressed concern about the National Criminal Background Check System (NICS) and coordination with the Veteran’s Administration and the Health & Human Services Department. He acknowledged that these other agencies obviously aren’t directly under the Justice Department’s purview.
 - Sen. Sessions indicated that he would be happy to consider any information Sen. Crapo would provide on this topic.

SENATOR JOHN KENNEDY’S QUESTION

- Senator John Kennedy (D-LA) asked Sen. Sessions’ about his thoughts on the Second Amendment generally.
 - Sen. Sessions stated “Well, I do believe the Second Amendment is a personal right. It's an historic right of the American people, and the Constitution protects that and explicitly states that. It's just as much a part of the Constitution as any of the other great rights and liberties that we value. So my record is pretty clear on that. However, people can forfeit their right to have a gun and it can be a factor in receiving sentences and being prosecuted if you carry a gun, for example during the commission of a crime. That can add penalty and convictions to you. I think that's a legitimate and responsible restraint on the Second Amendment right to keep and bear arms.”
 - In the next round of questions, responding to Sen. Kennedy, Sen. Sessions made the general statement that “the United States attorney job was a really fabulous experience. And I believe in the course of it I worked with FBI, DEA, U.S. Customs, Marshals Service, all the federal agencies, ATF, IRS, Postal Service and their inspectors. And you get to know their cultures and their crimes that they investigate, the officers and what motivates them and how a little praise and affirmation is so important for them.”

WRITTEN QUESTIONS FOR THE RECORD

Question from Senator Chris Coons (D-DE)

- Studies show that 5 percent of gun dealers sell 90 percent of guns that are subsequently used in criminal activity. How will you direct the Department of Justice to instruct the Bureau of Alcohol, Tobacco, Firearms and Explosives to crack down on dealers that funnel thousands of crime guns to city streets?
 - **Response:** When I served as a United States Attorney, protecting the public from violent gun-related crime was among my top priorities. As I testified before the Committee, I will enforce federal background check laws. Properly enforced, the federal gun laws can reduce crime in our cities and communities. Those who deliberately violate federal gun laws should be investigated and prosecuted. If I am fortunate enough to be confirmed as Attorney General, I will support the continued enforcement of federal gun laws, as appropriate, and focus on criminal offenders.

Questions from Senator Richard Durbin (D-IL)

- When we met in my office prior to your confirmation hearing, I talked with you about the epidemic of gun violence facing the City of Chicago.

In September, Mayor Emanuel put forward a public safety plan; I handed you a copy of it at our meeting. The plan calls for hiring nearly a thousand more Chicago police officers and detectives. It calls for more training and equipment, like body-worn cameras and gunshot detection technology. It calls for more mentoring programs for youth. And it calls for policing reforms to rebuild trust and cooperation between the police and the community.

Will you commit that, if you are confirmed as Attorney General, you will not seek to cut Justice Department grant funding for the City of Chicago and instead seek increases in that funding to help address the gun violence crisis there?

- **Response:** I am committed to working with you and Mayor Emanuel on addressing the violent crime problem in Chicago. If I am fortunate enough to be confirmed as Attorney General, I will seek to best use the resources available to the Department of Justice to address violent and other crimes in Chicago and elsewhere throughout the country, and to partner with state and local law enforcement agencies to help them address these issues. Resources are limited, however, and it would be unwise to commit to indefinitely providing a particular amount of federal resources to a single jurisdiction or for individual purposes without knowing how circumstances might change needs or priorities in the future.
- If we are serious about reducing the number of shootings in Chicago, we cannot ignore the pipeline of illicitly-trafficked guns from Indiana into Chicago. As Lake County Indiana Sheriff John Buncich said last year, hundreds of guns from Lake County show up in Chicago crimes every year, and “individuals are skirting federal law, especially at these gun shows...there’s a lot of illegal gun sales.”

Will you commit that, if you are confirmed, you will work with officials in Indiana on reforms that will reduce the illicit trafficking of guns from Indiana gun shows to the streets of Chicago?

- **Response:** If I am confirmed, I will make enforcement of federal gun crimes a top priority and aggressively engage with state and local law enforcement partners to achieve consistent policies for the apprehension of those violating federal gun laws. Properly enforced, federal gun laws can reduce crime in our cities and communities.
- Will you commit that, if you are confirmed, you will make it a priority of the Department of Justice to investigate and prosecute those who are selling guns that supply Chicago’s criminal gun market?

- **Response:** If I am confirmed, I will make enforcement of federal gun crimes a top priority and aggressively engage with state and local law enforcement partners to achieve consistent policies for the apprehension of those violating federal gun laws. Properly enforced, federal gun laws can reduce crime in our cities and communities.
- If you are confirmed, what steps will you take to ensure that cases involving straw purchasing, gun trafficking, and dealing in firearms without a license are prosecuted? Will the Department of Justice's budget requests support additional resources, specifically for ATF, to enforce these laws?
 - **Response:** If I am confirmed, I will make reduction of illegal interstate trafficking of firearms a priority. I will work with Congress to ensure that the ATF has the resources necessary to fairly and efficiently investigate criminal activity. I understand the challenges ATF faces and believe with proper support and with vigorous prosecutions, ATF will be more productive without large increases in funding.
- Two critically important law enforcement tools for fighting violent crime are crime gun tracing and ballistics matching. Local police departments and sheriff's offices can use ATF's online eTrace tool to trace guns recovered in crime in order to generate leads in criminal investigations and to identify those who illegally traffic in guns. And ATF's National Integrated Ballistic Information Network (NIBIN) lets local law enforcement take digital computer images of ammunition casing evidence recovered at crime scenes and match them to particular guns. This helps law enforcement identify trigger-pullers and helps discover links between gun crimes.

I have made it a priority to encourage every local law enforcement agency in Illinois to trace all of their crime guns through eTrace and to use NIBIN for all recovered ammunition casings. I have reached out to hundreds of police chiefs and sheriffs in my state about these tools, and 476 Illinois law enforcement agencies now use eTrace and 260 use NIBIN. These tools help solve crimes.

If confirmed as Attorney General, would you take steps to urge all state and local law enforcement agencies to use eTrace and NIBIN for all guns and ammunition casings recovered in crimes?

- **Response:** I have always believed that forensic analysis, and particularly firearms analysis, is key in reducing gun crime. If I am confirmed, I look forward to working with you with respect to eTrace and NIBIN.
- You have repeatedly emphasized the importance of enforcing the gun laws on the books. FBI NICS background checks on prospective gun purchasers are one of the most important mechanisms we have to enforce the laws that prohibit felons, the mentally unstable, and other prohibited purchasers from obtaining guns.

Will you commit that, if you are confirmed, you will work to ensure that the records in the NICS background check system are as complete and up-to-date as possible?

- **Response:** Yes.
- Will you commit that, if you are confirmed, the FBI will respect and enforce current federal and state laws regarding NICS background checks, including by assisting each state to conduct checks on gun sales in that state?
 - **Response:** Yes.

- Will you commit that, if you are confirmed, the FBI will continue to run NICS background checks on private sales in any state when the private seller voluntarily goes to a federally-licensed dealer to conduct a background check on the buyer?

- **Response:** Yes.

Questions from Senator Dianne Feinstein (D-CA)

- In the past, you have asserted that existing gun laws must be enforced aggressively. You have said when you were the U.S. Attorney in the Southern District of Alabama, you committed yourself to prosecute violations of “hundreds of gun laws.”

You went so far as to claim you sent a newsletter to local law enforcement to bring you cases involving gun violations. You stated, “I created a newsletter and sent it to every sheriff. I said: If you have the kind of criminal that needs prosecuting under federal gun laws, you bring those cases to me and we will prosecute them.”

You also have the highest political rating from the National Rifle Association and consistently have voted against attempts to strengthen background checks and otherwise make federal gun laws stronger.

Will you commit to fully enforcing existing gun laws, including by taking enforcement measures strongly opposed by gun rights groups?

- **Response:** If I am confirmed, I will make enforcement of federal gun crimes a top priority and aggressively engage with state and local law enforcement partners to ensure consistent policies for the apprehension of those violating federal gun laws. I fully expect gun prosecutions to increase. Properly enforced, federal gun laws can reduce crime in our cities and communities.
- There have been legal challenges to federal, state and local gun laws since the *Heller* and *McDonald* decisions in 2008 and 2010. If confirmed, under what circumstances would the Department of Justice decline to defend a federal firearms law against a legal challenge?
 - **Response:** The Executive Branch has a clear and unwavering duty to vigorously defend the constitutionality of any law for which a reasonable defense may be made. This includes the responsibility to defend in court acts of Congress with which the President may disagree as a matter of policy. That is an important and a time-honored principle to which I fully subscribe. There are two exceptions: (1) where a statute intrudes upon the separation of powers by infringing on the President’s constitutional authority, and (2) where there are no reasonable arguments that can be presented in defense of a statute. These are narrow exceptions, and require the most careful consideration before being adopted.
- As you are aware, any person engaged in the business of dealing in firearms must conduct background checks on gun buyers. Courts have identified several factors to determine whether an individual is “engaged in the business” of buying and selling firearms; there is no specific threshold number of firearms purchased or sold that triggers the requirement. As ATF stated in its January 2, 2016 guidance document, “even a few firearms transactions, when combined with other evidence, can be sufficient to establish that a person is ‘engaged in the business’ of dealing in firearms.”

For example, in *United States v. Shan*, the Second Circuit found that the defendant was properly convicted of dealing in firearms without a license when he sold just two firearms in a month and acknowledged that he had a source for more guns. The Sixth Circuit has similarly noted, “[T]he statute does not establish a minimum threshold for the number of guns sold.”

As a result of decisions like these, the Justice Department has brought cases against individuals who illegally sold guns without a license, only later to have those guns found at deadly crime scenes. In St. Paul, for example, a man transferred a gun at least 9 times after buying guns online and then trying to sell those guns on the secondary market. Court records indicated that several of the guns that were sold were part of drug trafficking crimes, and other “shots-fired” incidents. This case is but one example of individuals buying guns and then illegally selling them to individuals without background checks, and the guns then being found at crime scenes.

Will you commit to investigating and prosecuting illegal gun dealers who are selling weapons without conducting a background check? If your answer is yes, please describe in detail your plan for doing so.

- **Response:** When I served as a United States Attorney, protecting the public from violent gun-related crime was among my top priorities. As I testified before the Committee, I will enforce federal background check laws. Properly enforced, the federal gun laws can reduce crime in our cities and communities. Those who deliberately violate federal gun laws should be investigated and prosecuted. The Congress and government regulations set forth the circumstances and methods by which gun dealers may sell guns. If I am fortunate enough to be confirmed as Attorney General, violators will be prosecuted as appropriate.
- In 2014, in *Abramski v. United States*, the Supreme Court held in a 5-4 decision that “a person who buys a gun on someone else’s behalf while falsely claiming that it is for himself” violates the law prohibiting material false statements on federal gun forms.

This decision is vital to the prosecution of so-called “straw purchasers” who buy guns on behalf of those, such as felons, who cannot pass a background check. The Department of Justice’s position in this case was that the buyer’s “knowingly false statement that he was the actual purchaser of the handgun” violated the law. The National Rifle Association’s position was that this was “not a permissible construction” of the law.

If you are confirmed, will the Justice Department prosecute those who lie on federal firearm sale forms by falsely claiming they are the actual purchasers?

- **Response:** Properly enforced, the federal gun laws can reduce crime in our cities and communities. Those who deliberately violate federal gun laws should be investigated and prosecuted. I have personally prosecuted and supported prosecutions of those who lie on these forms. If I am fortunate enough to be confirmed as Attorney General, I will support the continued enforcement of federal gun laws, as appropriate.
- Will you defend this law, including the Supreme Court’s *Abramski* decision, against a constitutional challenge?
 - **Response:** It is appropriate for the Justice Department to consider the role of precedent whenever advocating before the Supreme Court. In addition, it is important for the Department to consider the facts of an individual case, and also to consider sound jurisprudence when determining the Justice Department’s position on a legal issue. If I am fortunate enough to be confirmed as Attorney General, the Justice Department will fairly and thoroughly evaluate these factors in arguments before the Supreme Court.
- The ATF – the agency that investigates gun crimes – lacks sufficient resources to carry out its statutory responsibilities. You and other Republican colleagues have said that we should focus on fully enforcing existing gun laws before passing new ones.

However, since Fiscal Year 2011 (the first year Republicans were in charge of the House during the Obama Administration), Congress appropriated \$182.3 million over five years *less* than the agency said it needed, because of Republican opposition to greater funding.

Since Fiscal Year 2011, ATF has grown by a total of only 10 people or 0.2 percent (from 5,016 employees to 5,026 employees). Over the same period, the number of guns bought and sold in America skyrocketed. The FBI conducted 27 percent more background checks in 2014 than in 2011 (from 16.5 million to 21 million). In addition, I understand that 544 Special Agents (one-fifth of the total ATF Special Agent population) were eligible to retire last year.

The only way to truly enforce existing gun laws is to ensure agencies like ATF have the funding they need to do the job.

Would you agree that in order for gun laws to be fully enforced, we need ATF to be fully staffed and ATF investigators to be well-trained and well-equipped? Yes or no.

- **Response:** Yes.
- Will you commit, if you are confirmed as the Attorney General, to make sure that the DOJ budget request reflects the resources necessary to ensure that ATF can fully execute the mission given to it by Congress?
 - **Response:** Through my service as a United States Attorney, and as a Senator, I am aware of the difficult choices that the Justice Department has to make during this time of tight budgets. Such awareness should be present in any request for taxpayer funds. I understand the challenges that ATF faces and believe that with proper support and with vigorous prosecutions, ATF can be more productive without large increases in funding. If I am fortunate enough to be confirmed as Attorney General, I will endeavor to direct and utilize the resources of the Department in the most effective manner possible to ensure the enforcement of federal law.

Questions from Senator Chuck Grassley (R-IA)

- **Scope of Executive Privilege**

For the past five years, the U.S. House of Representatives Committee on Oversight and Government Reform (HOCR) has sought subpoenaed documents from the Department of Justice related to Operation Fast and Furious. Originally, the Department failed to produce any documents responsive to the October 2011 subpoena despite failing to formally assert a legally recognized privilege. In fact, only a feeble attempt to rely on “confidentiality interests” and “separation of powers” was proffered. Eventually the Department asserted executive privilege over the majority of relevant documents, and shortly thereafter, the Committee voted to hold Attorney General Eric Holder in contempt of Congress.

In August 2012, HOCR filed a civil lawsuit in the U.S. District Court for the District of Columbia seeking to enforce its subpoena of documents, including those created after a February 4, 2011 letter to me which falsely claimed the Department had not been walking guns, to understand how the Department came to know the letter was false. In August 2014, after years of litigation, the court ordered the Department to produce a privilege log. However, the court also held that the deliberative process privilege “could be invoked in response to a congressional subpoena.”

In response to the order, the Department produced an incomplete “list” of a subset of documents, along with about two thirds of those documents which it had previously unlawfully withheld, given that it had a legal obligation to comply with the subpoena and given that even the Department did not take the position that those documents were privileged. The remaining documents on the Department’s “list” were categorically withheld on deliberative process grounds as well as five other claims of “privilege” never previously asserted.

HOCR then filed a motion to compel production of *all* documents, without redactions, created following the Department's false and misleading February 2011 letter to Congress. On January 19, 2016, the district court granted the Committee's motion in part and denied it in part. The court ordered the Department to produce all documents from its 2014 "set" that it had withheld on deliberative process grounds, but denied the Committee's motion to compel remaining responsive documents.

HOCR appealed on October 2016 to seek production of all other documents responsive to the subpoena. Among other things, the appeal also generally challenges the district's court's holding that the common law "deliberative process" privilege can form a valid basis for denying access to information regarding Executive Branch misconduct sought by a congressional subpoena. The appeal is currently pending.

The most problematic aspect of the long negotiation and litigation over the Fast and Furious documents is the Department's continued insistence, and the district court's assent to the Department's position, that the constitutionally based Executive Privilege extends far below the President to shield the "deliberative process" of lower-level, unelected bureaucrats. The deliberative process privilege is a common law doctrine and a basis for a Freedom of Information Act exemption. It is not a Constitutional privilege of equal standing with the inherent power of Congress to conduct oversight inquiries. Deliberative process also traditionally applies only to content that is deliberative and pre-decisional. It does not shield material created after a decision is made, or that is purely factual.

Worse, the Department has even used this exceedingly broad view of Executive Privilege to shield production of documents the former Attorney General himself admitted *were not actually privileged at all*. The Department's Office of Legal Counsel opinion on the President's assertion of Executive Privilege further suggests inexplicably that the privilege applies to a document, "regardless of whether a given document contains deliberative material."

Moreover, in a very troubling trend, the Department and other Executive Branch agencies also have relied on the district court's opinion in their refusal to produce a vast array of information to Congress in response to subpoenas, claiming broadly not only a dubious "deliberative process" privilege but also general, unarticulated "confidentiality" interests and other vague concepts.

Many of those examples are featured in an amicus brief that I and several other congressional committee chairmen in the House and the Senate filed in the HOCR appeal. The brief challenges the attempts by the Obama administration to stretch the Executive Privilege beyond its constitutional boundaries to shield from congressional review documents it claims are "deliberative" or even merely "confidential." The brief asserts that the administration's overbroad privilege claims, including in response to congressional subpoenas, serve only to thwart legitimate congressional oversight.

What is the scope of executive privilege, particularly over agency documents unrelated to the President?

- **Response:** The practice of the political branches and the courts have recognized that the following types of information may be protected by executive privilege: state secrets relating to foreign relations and military affairs; certain sensitive information relating to law enforcement investigations; presidential communications—including not only communications to and from the President but also, in some cases, communications made or solicited and received by White House staff in the course of preparing advice for the President; and information that reflects the internal, pre-decisional deliberations of the Executive Branch. *See, e.g., NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 151 (1975); *United States v. Nixon*, 418 U.S. 683, 705 (1974); *Senate Select Comm. on Presidential Campaign Activities v. Nixon*, 498 F.2d 725, 731 (D.C. Cir. 1974) (en banc).

Courts have recognized the deliberative process privilege to apply to deliberative agency documents that do not relate to presidential decisions, and the contours and limits of that privilege have been described in case law. *See, e.g., In re Sealed Case*, 121 F.3d 729, 737 (D.C.

Cir. 1997). If I am fortunate enough to be confirmed as Attorney General, I would, of course, follow the applicable case law and seek the legal guidance of attorneys within the Department of Justice regarding the applicability of any privilege claim.

- Does the President have an executive privilege to withhold documents subpoenaed by Congress that have nothing to do with advice or communications involving the White House? If so, what is the legal basis for that claim?
 - **Response:** Each claim of executive privilege must be carefully evaluated and determined individually based upon the specific nature and contents of the documents or communications at issue. Although I am aware that past administrations have asserted executive privilege over, for example, pre-decisional deliberative materials in response to congressional inquiries, I have not studied the specific legal bases for those claims.

As noted above, the contours and limits of the deliberative process privilege has been discussed in case law. Additionally, case law indicates that, where practicable, the Executive Branch and Congress should try in good faith to resolve inter-branch disputes regarding executive privilege through negotiation and accommodation.

- Will you commit that, if confirmed, you will personally review and examine the expansive claims of Executive Privilege asserted by the Department in this long running litigation with Congress under its previous leadership and decide whether it is proper and consistent with the law to continue litigating them?
 - **Response:** If I am fortunate enough to be confirmed as Attorney General, I will review these matters.

CONCLUSION

If AG-Designate Sessions is favorably reported out of committee, the nomination proceeds to the Senate Floor where the entire Senate will vote on his confirmation.

If the Senate votes to confirm him, he will be sworn-in as the Attorney General and assume formal leadership of the Department of Justice. Should the Senate reject the nomination, the President must select a new candidate to nominate for Attorney General. It is *highly unlikely* that the Senate will reject AG-Designate Sessions' nomination.

To: Turk, Ronald B. (b) (6)
Cc: Shaefer, Christopher C. (b) (6)
From: Arends, Ross F.
Sent: Tue 1/17/2017 9:13:19 PM
Subject: Re: NRA

10-4 sir

(b) (6)

Chief
Intergovernmental Affairs Division
Office of Public and Governmental Affairs
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
U.S. Department of Justice
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Washington, DC 20226
T: (b) (6)
C: (b) (6)

On Jan 17, 2017, at 4:10 PM, Turk, Ronald B. (b) (6) > wrote:

Thanks (b) (6) - no worries, just wanted to extend the invitation. Pls let (b) (6) know we understand they are slammed and we can meet when things quiet down a bit.

On Jan 17, 2017, at 1:06 PM, (b) (6) > wrote:

Hi Mr. Turk

I just spoke with (b) (6) with NRA who advised that he is in DC and cancelled his trip to SHOT in order to concentrate on nomination hearing matters. Mr. (b) (6) is at SHOT but his schedule is packed the rest of the day and is flying back first thing in the morning. (b) (6) does not think he has any time.

Moreover, they don't have any ATF issues right now---but would run it by (b) (6). If I hear from either, I will contact you immediately. Have a good trip.

(b) (6)

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Washington, DC 20226

T: (202) 648-(b) (6)
C: (b) (6)

Begin forwarded message:

From: "Shaefer, Christopher C."
(b) (6)
Date: January 17, 2017 at 3:50:55 PM EST
To: (b) (6)
Subject: FW: NRA

(b) (6) per our discussion.

Thanks, Chris

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648.(b) (6) | C: (b) (6)

-----Original Message-----

From: Turk, Ronald B.
Sent: Tuesday, January 17, 2017 3:45 PM
To: Shaefer, Christopher C. <(b) (6)>
Subject: NRA

Hi Chris. I did not get in touch with (b) (6) this past week; can (b) (6) reach out to NRA and see if they have any issues they want to talk with me about while at Shot thru tomorrow afternoon?

Ron

To: (b) (6)
Cc: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 1/17/2017 9:10:03 PM
Subject: Re: NRA

Thanks (b) (6)- no worries, just wanted to extend the invitation. Pls let (b) (6) know we understand they are slammed and we can meet when things quiet down a bit.

On Jan 17, 2017, at 1:06 PM, (b) (6) wrote:

Hi Mr. Turk

I just spoke with (b) (6) with NRA who advised that he is in DC and cancelled his trip to SHOT in order to concentrate on nomination hearing matters. (b) (6) is at SHOT but his schedule is packed the rest of the day and is flying back first thing in the morning. (b) (6) does not think he has any time.

Moreover, they don't have any ATF issues right now---but would run it by (b) (6) If I hear from either, I will contact you immediately. Have a good trip.

(b) (6)

Chief
Intergovernmental Affairs Division
Office of Public and Governmental Affairs
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
U.S. Department of Justice
99 New York Ave., NE
Washington, DC 20226
T: (202) 648-(b) (6)
C: (b) (6)

Begin forwarded message:

From: "Shaefer, Christopher C." <(b) (6)>
Date: January 17, 2017 at 3:50:55 PM EST
To: (b) (6)
Subject: FW: NRA

(b) (6)- per our discussion.

Thanks, Chris

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | C: (b) (6)

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From: (b) (6)
Sent: Tuesday, January 17, 2017 3:45 PM
To: Shaefer, Christopher C. (b) (6)
Subject: NRA

Hi Chris. I did not get in touch with (b) (6) this past week; can (b) (6) reach out to NRA and see if they have any issues they want to talk with me about while at Shot thru tomorrow afternoon?

Ron

To: Turk, Ronald B (b) (6)
Cc: Shaefer, Christopher C. (b) (6)
From: (b) (6)
Sent: Tue 1/17/2017 9:06:35 PM
Subject: Fwd: NRA

Hi Mr. Turk

I just spoke with (b) (6) with NRA who advised that he is in DC and cancelled his trip to SHOT in order to concentrate on nomination hearing matters. (b) (6) is at SHOT but his schedule is packed the rest of the day and is flying back first thing in the morning. (b) (6) does not think he has any time.

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Office of Public and Governmental Affairs
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
U.S. Department of Justice
99 New York Ave., NE
Washington, DC 20226
T: (202) 648 (b) (6)
C: (b) (6)

Begin forwarded message:

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Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | C: (b) (6)

-----Original Message-----

From: Turk, Ronald B.

Sent: Tuesday, January 17, 2017 3:45 PM

To: Shaefer, Christopher C. (b) (6)

Subject: NRA

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Ron

To: Turk, Ronald B. (b) (6)
From: Shaefer, Christopher C.
Sent: Tue 1/17/2017 8:46:49 PM
Subject: RE: NRA

Talking to (b) (6) now.

Regards,

Christopher Shaefer | Assistant Director
Public and Governmental Affairs | O: 202.648 (b) (6) | C: (b) (6)

-----Original Message-----

From: Turk, Ronald B.
Sent: Tuesday, January 17, 2017 3:45 PM
To: Shaefer, Christopher C. <(b) (6)>
Subject: NRA

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Ron

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 1/17/2017 8:45:20 PM
Subject: NRA

Hi Chris. I did not get in touch with (b) (6) this past week; can (b) (6) reach out to NRA and see if they have any issues they want to talk with me about while at Shot thru tomorrow afternoon?

Ron

To: All Assistant Directors (b) (6)
Cc: (b) (6)
From: Bennett, Megan A.
Sent: Tue 1/17/2017 2:48:19 PM
Subject: PGA Weekly Report for January 17, 2017
[ATF News Clips for Saturday, Jan. 14 - Tuesday, Jan. 17, 2017](#)
[PGA Weekly Report for 011717.docx](#)

Assistant Directors,

This is a weekly informal summary of key activities conducted by PGA and upcoming key activities that is provided for high-level situational awareness.

This report is for limited internal distribution to those listed above, as much of what is summarized is deliberative and subject to change. This report does not represent all activities or all details, only those determined necessary to brief for situational awareness. If you desire further information on any of the summarized activities, please contact me directly.

Megan A. Bennett
Deputy Assistant Director
Office of Public and Governmental Affairs
Bureau of Alcohol, Tobacco, Firearms and Explosives
Direct: 202.648 (b) (6) Cell: (b) (6)





ATF

Bureau of Alcohol, Tobacco, Firearms,
and Explosives



Office of Public and Governmental Affairs (PGA)

Weekly Update Report – January 17, 2017

This internal ATF summary provides general highlights of activities conducted by PGA and those anticipated in the short term. The activities below do not cover all activities performed. This report is prepared for high-level situational awareness of executive staff.

Last Week's Highlights

Legislative Affairs Division (LAD)

General

- The US Senate was in session last week.
- The US House was in session last week.
- Assisted several Field Divisions with outreach planning for meetings between Members of Congress and SACs.
- LAD civilian staff toured the FRL and watched a test burn.

US Senate

- Responding to an inquiry from Sen. Marco Rubio (R-FL) regarding an inspection of Chemring and the status of a settlement agreement with ATF.

US House

- Rep. Jim Sensenbrenner (R-WI) introduced the ATF Elimination Act. The text of the bill is not yet available, however, it is likely to be identical to the ATF Elimination Act he introduced in both the 113th and 114th Congress.
- Reps. John Carter (R-TX) and Jeff Duncan (R-SC) introduced the Hearing Protection Act, which would remove silencers from the NFA.

Congressional Committees

- The Senate Judiciary Committee held a confirmation hearing on the nomination of Jeff Sessions to be AG on January 10 and 11, 2017.

Public Affairs Division (PAD)

- PAD responded to numerous media inquiries regarding bomb threats made to Jewish Centers in several states. PAD informed media outlets that the agency was aware of the threats and monitoring the issue.
- PAD continued to respond to media inquiries regarding the shooting that took place at the airport in Ft Lauderdale.

- PAD facilitated a tour of the National Tracing Center Jan. 11th with a reporter and videographer from the local Boston FOX affiliate. (b) (6) was interviewed. Two pieces will be created by the reporter, one focusing on NTC, the other on local gun crimes, highlighting NTC. The piece is expected to air in February.
- Facebook likes are up 338 to a total of 52,370, Twitter followers are up 281 to a total of 27,755, and IG followers are up 47 to a total of 2,036. ATF's most popular post of the week was a breaking news tweet ("ATF responds to Ft Lauderdale airport shooting"), which garnered 150 shares/91 likes/7 comments and was seen by a potential audience of 50,618 people.

IGA

- IGA assisted IACP staff and BJA staff with the BJA-funded IACP app, Police Officer's Guide to Recovered Firearms, which is based upon ATF Publication 3312.12. BJA is granting IACP funding of \$20,000 to upgrade and maintain the app for current operating systems for the next three years.

Digital Media Division (DMD)

- DMD is working with OST to complete the GovDelivery package.
- Web Media Branch staff met with OST and EPS regarding updates to the e4473 webpage.
- The elevator lobby Digital Signage is functioning and we are currently testing and training with the new system.
- DMD completed user testing for two additional Spanish microsite components for the public website.
- DMD is working with NCETR to firm up dates and locations for a video project that will cover several aspects of their mission. Tentative shoot and travels dates are March 26-31, 2017.
- DMD made final arrangements to upgrade all East-wing conference rooms to full HD capability. Installation will start on or around February 6th and will take approximately two weeks to complete.
- The 2nd K-9 detection video is in final stage of quality control and will be queued for posting early this week.
- The Distribution Center started sending out orders of the new 4473s last week. They sent out nearly 3 million forms; shipped 1,900 per day, received 3,000 email requests per day and over 2,000 phone calls per day. A new order of 2.5 million are being printed and should be received shortly.

Disclosure Division (DD)

- In 2016, ATF received a FOIA request from the Brady Center regarding any and all records related to (b) (6) and the Lock N Load store located in Florida. The Disclosure Division released the requested information on two FFLs and documents related to eTrace. All releases have been reviewed by Chief Counsel.

- The Disclosure Division provided first quarter FOIA numbers to the Office of Information Policy (OIP).

Upcoming Activities and Events

LAD

General

- The US Senate is in session this week.
- The US House is in session this week.
- The Senate and House will convene in a Joint Session of Congress on Friday, January 20, 2017 for the Inauguration of President-elect Trump. The swearing-in will occur at 12 noon.
- Planning outreach to congressional staff in both Chambers. In addition to continuing individual meetings with congressional staff, proposed tours and visits include:
 - Members of Congress and staff—*ATF Day on the Hill*—Proposed for March 2017
 - Congressional Fire Service Caucus—FRL tour/burn/briefing on ATF CFIs and NRT—Proposed for spring 2017
 - House Law Enforcement Caucus—Range day/firearms trafficking briefing—Proposed for spring 2017
 - Senate CJS Appropriations—NCETR and ATF-Martinsburg—TBD after final disposition of FY 2017 appropriations
 - Senate staff—ATF-Martinsburg
 - Senate Crime Caucus—NIBIN—Proposed for March 2017

US Senate

- No significant activity to report.

US House

- No significant activity to report.

Congressional Committees

- No significant activity to report.

PAD

- PAD will work with The Trace on a developing story regarding FFL thefts. The Trace will be doing a follow up interview with the Charlotte Field Division. An interview with the Tampa Field Division was postponed from last week and is being rescheduled.

IGA

- IGA staff is working with ATF Firearms Division staff and IACP staff to submit a workshop proposal for the upcoming IACP Technology Conference in May, 2017.
- IGA staff will be attending the U.S. Conference of Mayors Winter Meeting held on January 17-19, 2017, in Washington DC. The Criminal and Social Justice Committee meeting is on January 18, 2017.

DMD

- No significant activity to report.

DD

- Continued back log reduction.

Congressionals Received Last Week

Monday, January 9, 2017

- No congressionals received.

Tuesday, January 10, 2017

- No congressionals received.

Wednesday, January 11, 2017

- No congressionals received.

Thursday, January 12, 2017

- Senator Mark R. Warner; Constituent: (b) (6) Issue: Ideal Conceal;
Assigned to Chief Counsel for response

Friday, January 13, 2017

- No congressionals received.

To: Allen, Joseph J. (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Sun 1/15/2017 3:33:34 PM
Subject: Re: Hearing Protection Act

10-4 Joe

On Jan 15, 2017, at 9:33 AM, Allen, Joseph J. <(b) (6)> wrote:

Good morning,

FYI, this article cites NSSF (Larry) support of the bill:

<http://freebeacon.com/issues/republicans-introduce-bill-to-reform-silencer-laws-to-both-houses-of-congress/>

Second article supporting Act from Chicago Tribune:

<http://www.chicagotribune.com/news/opinion/chapman/ct-gun-silencer-legalize-perspec-0115-md-20170113-column.html>

Safe travels,
Joe

To: Turk, Ronald B. (b) (6) Richardson, Marvin G. (b) (6)
From: Allen, Joseph J.
Sent: Sun 1/15/2017 2:33:28 PM
Subject: Hearing Protection Act

Good morning,

FYI, this article cites NSSF (Larry) support of the bill:

<http://freebeacon.com/issues/repUBLICans-intROduce-bill-to-reform-silencer-laws-to-both-houses-of-congress/>

Second article supporting Act from Chicago Tribune:

<http://www.chicagotribune.com/news/opinion/chapman/ct-gun-silencer-legalize-perspec-0115-md-20170113-column.html>

Safe travels,
Joe

To: (b) (6)
From: Turk, Ronald B.
Sent: Sat 1/14/2017 12:46:39 AM
Subject: Re: - House Bill Would Disband Scandal-Plagued ATF

My and ATF's bi-annual conversation. As the only law enforcement agency that deals directly with an amendment to the Constitution it comes with the territory.....thus far (and again) NSSF, NRA and others will oppose. None of them necessarily want a strong ATF but they certainly do not want an ever larger other agency dealing with their issues.

On Jan 13, 2017, at 7:29 PM, (b) (6) wrote:

House Bill Would Disband Scandal- Plagued ATF

NEWS x Jan 13, 2017

To: Shaefer, Christopher C. (b) (6)
From: Brandon, Thomas E.
Sent: Thur 10/5/2017 6:53:18 PM
Subject: Read: FW: Tweet by Lois Beckett on Twitter - NRA Statement

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Thur 1/12/2017 11:18:45 PM
Subject: Re: Rep. Sensenbrenner Introduces the ATF Elimination Act

Thanks Larry

On Jan 12, 2017, at 4:37 PM, Larry Keane <(b) (6)> wrote:

FYI

----- Forwarded message -----

From: (b) (6)
Date: Thursday, January 12, 2017
Subject: Rep. Sensenbrenner Introduces the ATF Elimination Act
To: (b) (6)

[\[cid:image001.png@01D26CC5.A724CE50\]](#)

United States Congress
House of Representatives

FOR IMMEDIATE RELEASE
January 12, 2017

CONTACT

(b) (6)

Rep. Sensenbrenner Introduces the ATF Elimination Act

WASHINGTON, D.C. - Today, Congressman Jim Sensenbrenner reintroduced the ATF Elimination Act, legislation that would dissolve the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and merge its exclusive duties into existing federal agencies.

Additionally, the Act calls for an immediate hiring freeze at the agency and requires the Department of Justice (DOJ) to eliminate and reduce duplicative functions and waste, as well as report to Congress with a detailed plan on how the transition will take place. Further, it would transfer enforcement of firearms, explosives, and arson laws to the Federal Bureau of Investigation (FBI), and illegal diversion of alcohol and tobacco products would be transferred to the Drug Enforcement Agency (DEA).

Under this bill, the DEA and FBI would be required to submit to Congress a plan for winding down the affairs of the ATF after no more than 180 days, and field offices, along with other buildings and assets of the ATF, would be transferred to the FBI. It would have one year to report excess property to the General Services Administration (GSA).

Congressman Sensenbrenner: "Despite our country being trillions of dollars in debt, government spending continues to rise. Common sense budgeting solutions are necessary, and the ATF Elimination Act is one measure we can take to reduce spending, redundancy, and practice responsible governance. The ATF is a scandal-ridden, largely duplicative agency that has been branded by failure and lacks a clear mission. It is plagued by backlogs, funding gaps, hiring challenges, and a lack of leadership. These facts make it a logical place to begin draining the swamp and acting in the best interest of the American taxpayer."

#

[Sensenbrenner.House.Gov](http://www.Sensenbrenner.House.Gov)<<http://www.Sensenbrenner.House.Gov>>

<image001.png>

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Thur 1/12/2017 9:40:44 PM
Subject: FW: Rep. Sensenbrenner Introduces the ATF Elimination Act
[image001.png](#)

FYI

----- Forwarded message -----

From: (b) (6)
Date: Thursday, January 12, 2017
Subject: Rep. Sensenbrenner Introduces the ATF Elimination Act
To: (b) (6)

[\[cid:image001.png@01D26CC5.A724CE50\]](#)

United States Congress
House of Representatives

FOR IMMEDIATE RELEASE
January 12, 2017

CONTACT

(b) (6)

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#

[Sensenbrenner.House.Gov](http://www.Sensenbrenner.House.Gov)<<http://www.Sensenbrenner.House.Gov>>

To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Thur 1/12/2017 2:03:14 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

[Website](#) [New Products](#) [Products Gallery](#) [Pricing](#) [About](#) [Contact](#)

NSSF SHOT SHOW 2017

Furniture Rental

www.camdentradeshow.com

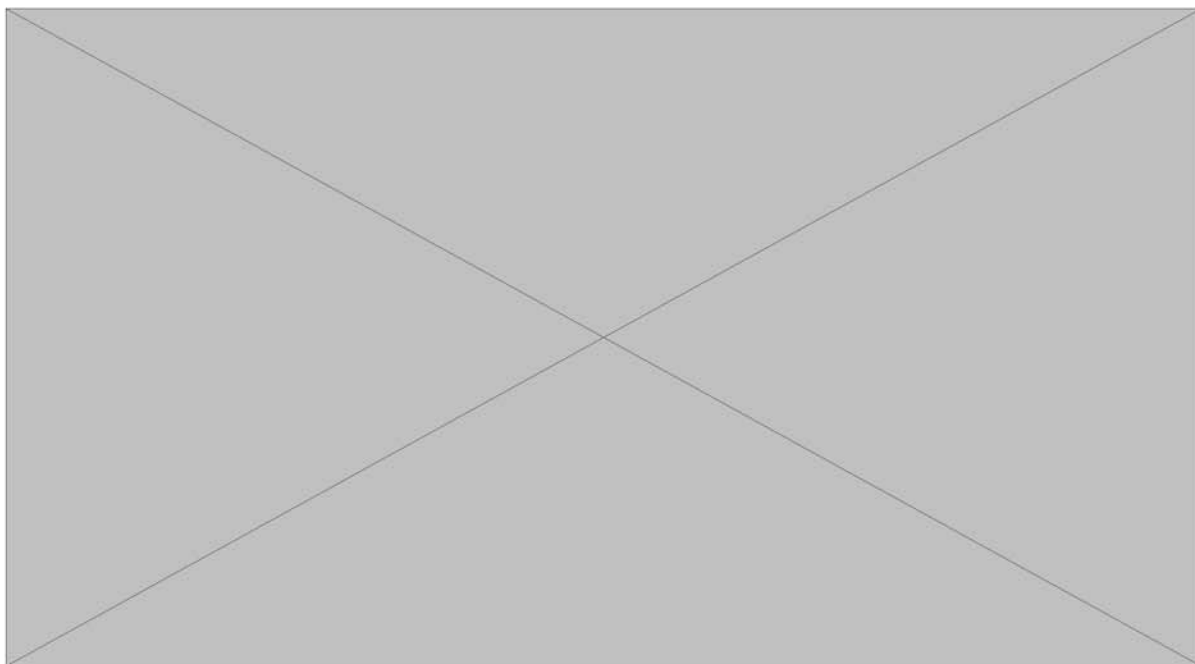


Dear Exhibitor,

Getting attendees into your exhibit relies on first impression:

Furniture is a key element in creating an inviting and impressive exhibit space or meeting room.

Ask about our Camden Power Up Collection line of furniture equipped with convenient built-in USB charging ports.



At Camden Tradeshow & Event Furnishings we are proud to provide exhibitors:

- Outstanding Product Quality and Selection
- Advantageous Price Points
- *Superior Customer Service AND*
- ***A 25% Savings on orders placed by January 6, 2017***

[Contact us at 702-474-4877 for assistance with your order.](#)

Sincerely,

Kevin Camden
Camden Tradeshow & Event Furnishings

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FORWARD EMAIL

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, 716 Indian Garden Street, Las Vegas, NV 89138

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[Try it free today](#)

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Wed 1/11/2017 10:37:56 AM
Subject: Re: FFL Reward for Gun Theft & FFL Seminar Collaboration

Thanks Larry

On Jan 10, 2017, at 4:10 PM, Larry Keane <(b) (6)> wrote:

FYI

From: (b) (6)
Sent: Tuesday, January 10, 2017 3:29 PM
To: (b) (6)
Cc: Larry Keane; (b) (6)
Subject: RE: FFL Reward for Gun Theft & FFL Seminar Collaboration

Hi (b) (6),

Yes. NSSF will match the ATF \$5,000 reward with our own \$5,000 to help nab these bad actors. That was a big theft, so now, we're talking some real money.

And, yes, again. NSSF will participate in ATF educational efforts to help thwart future FFL break-ins. We have both in-house and expert retail loss prevention consultants who may be available. Please let us know what dates you are thinking about when you are ready.

Best regards,
(b) (6)

From: (b) (6)
Sent: Tuesday, January 10, 2017 3:19 PM
To: (b) (6)
Subject: FFL Reward for Gun Theft & FFL Seminar Collaboration

Hello (b) (6)

Happy New Year! I hope this email finds you well. We have had several more FFL thefts since we last spoke. In fact, we had one as recent as early Monday morning. In this theft, 76 firearms were stolen. ATF is offering a \$5,000.00 reward and we wanted to see if NSSF would be able to match for a total reward of \$10,000.00?

Also, we spoke briefly last year about FFL seminars and the possibility of having NSSF participate. We are planning to hold these seminars across the field division very soon to discuss the problem of FFL thefts. I wanted to see if you still have someone who could present on this topic. I think this is an excellent venue for the industry to see our collaboration in the wake of this problem and at the same time we can offer some ideas of security measures for licensees to think about.

Thank you for your continued support.

(b) (6)

To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Wed 1/11/2017 4:07:23 AM
Subject: VIDEO: Lakeland gun store smash and grab | FOX 13 Tampa Bay

Wrong approach by the sheriff

<http://www.fox13news.com/news/local-news/228057484-story>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 1/10/2017 8:32:09 PM
Subject: FW: FFL Reward for Gun Theft & FFL Seminar Collaboration

FYI

From: (b) (6)
Sent: Tuesday, January 10, 2017 3:29 PM
To: (b) (6)
Cc: Larry Keane; (b) (6)
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Thank you for your continued support.

(b) (6)

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 1/10/2017 4:16:58 PM
Subject: RE: Meeting w/ ATF (Ron Turk) & NSSF (b) (6) Keane)

I will send a calendar notice

From: Ronald.B.Turk (b) (6)
Sent: Tuesday, January 10, 2017 11:12 AM
To: Larry Keane
Subject: RE: Meeting w/ ATF (Ron Turk) & NSSF (b) (6) Keane)

Perfect – see you next week.

From: Larry Keane [mailto:(b) (6)]
Sent: Tuesday, January 10, 2017 11:07 AM
To: Turk, Ronald B. (b) (6)
Subject: Meeting w/ ATF (Ron Turk) & NSSF (b) (6) Keane)

Ron,

How does Wednesday, January 18, 2017 - 2:00 p.m. – 2:30 p.m. (Toscanna 3803) work for meeting w/ (b) (6) and me at SHOT Show?

Lawrence Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470



*NSSF is the trade association for America's firearms industry.
Our mission: To promote, protect and preserve hunting and the shooting sports*

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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Tue 1/10/2017 4:11:52 PM
Subject: RE: Meeting w/ ATF (Ron Turk) & NSSF (b) (6) Keane)

Perfect – see you next week.

From: Larry Keane [mailto:(b) (6)]
Sent: Tuesday, January 10, 2017 11:07 AM
To: Turk, Ronald B. (b) (6)
Subject: Meeting w/ ATF (Ron Turk) & NSSF (b) (6) Keane)

Ron,

How does Wednesday, January 18, 2017 - 2:00 p.m. – 2:30 p.m. (Toscanna 3803) work for meeting w/ (b) (6) and me at SHOT Show?

Lawrence Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation
W: (b) (6)
M: (b) (6)
(b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470



*NSSF is the trade association for America's firearms industry.
Our mission: To promote, protect and preserve hunting and
the shooting sports*

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 1/10/2017 4:07:28 PM
Subject: Meeting w/ ATF (Ron Turk) & NSSF (b) (6) Keane)

Ron,

How does Wednesday, January 18, 2017 - 2:00 p.m. – 2:30 p.m. (Toscanna 3803) work for meeting w/ Steve and me at SHOT Show?

Lawrence Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

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To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Tue 1/10/2017 2:00:58 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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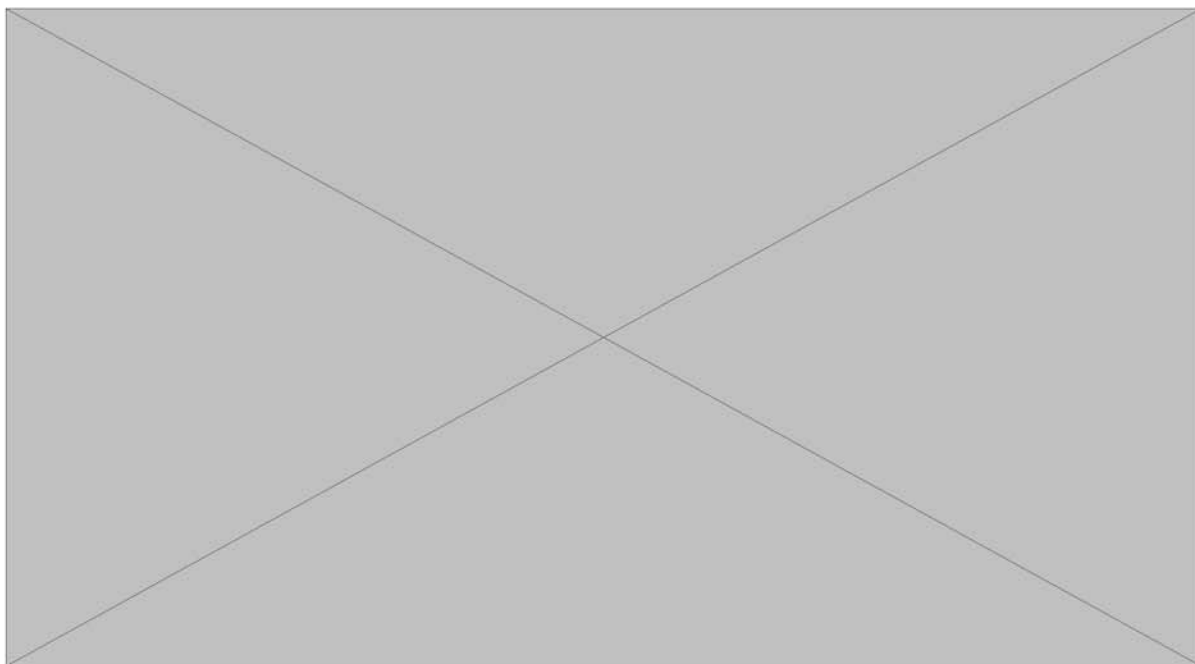


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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Fri 1/6/2017 3:42:06 PM
Subject: RE: SHOT Show - NSSF meeting

Sure Larry – happy to. I can be flexible to any time if needed Tues or Wens; below are some time blocks that look totally clear:

Tues: 1000-1100; anytime after 1140

Wens: Anytime after 1230

Look forward to seeing you.

Ron

From: Larry Keane [mailto:(b) (6)]
Sent: Friday, January 6, 2017 9:47 AM
To: Turk, Ronald B. <(b) (6)>
Subject: SHOT Show - NSSF meeting

Ron

I would like to see if we can schedule a brief (~20 mins) meeting with you, me and (b) (6) at SHOT on Tues or Weds. I am working with (b) (6) assistant to find some available times for us. If you have some times you know are no good let me know and I can try to ID a time that works for everyone.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M: (b) (6)

(b) (6)

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Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Fri 1/6/2017 2:46:53 PM
Subject: SHOT Show - NSSF meeting

Ron

I would like to see if we can schedule a brief (~20 mins) meeting with you, me and (b) (6) at SHOT on Tues or Weds. I am working with (b) (6) assistant to find some available times for us. If you have some times you know are no good let me know and I can try to ID a time that works for everyone.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

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(b) (6)
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400 No. Capitol St., NW
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Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Thur 1/5/2017 2:00:35 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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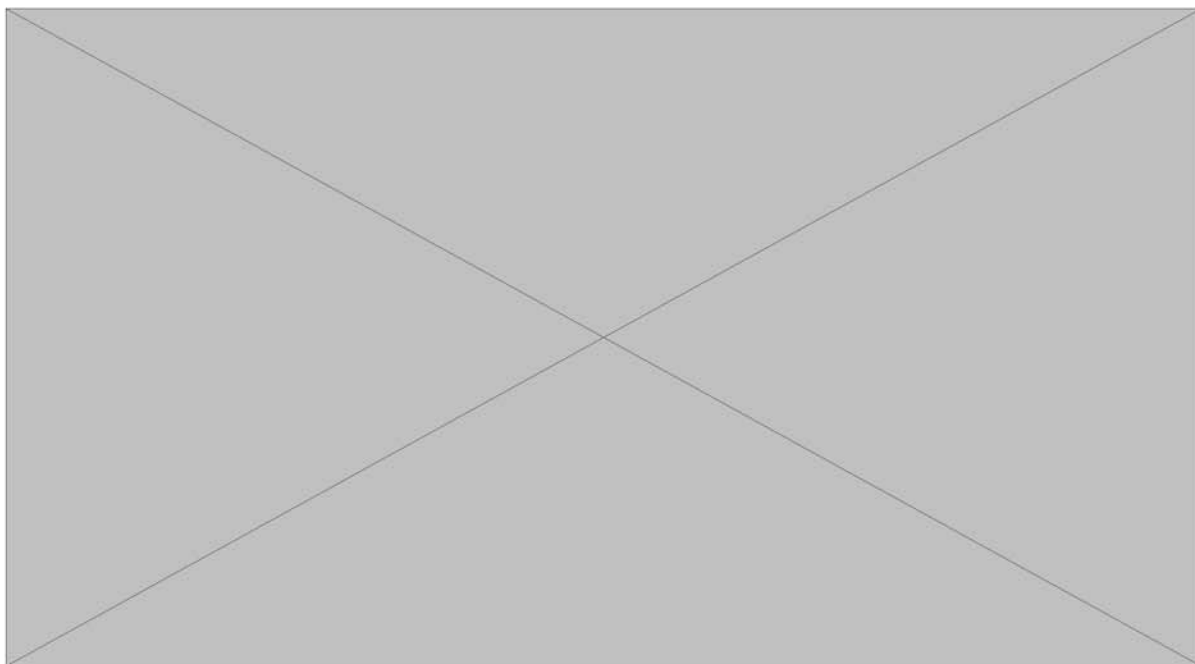


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To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Tue 1/3/2017 2:05:56 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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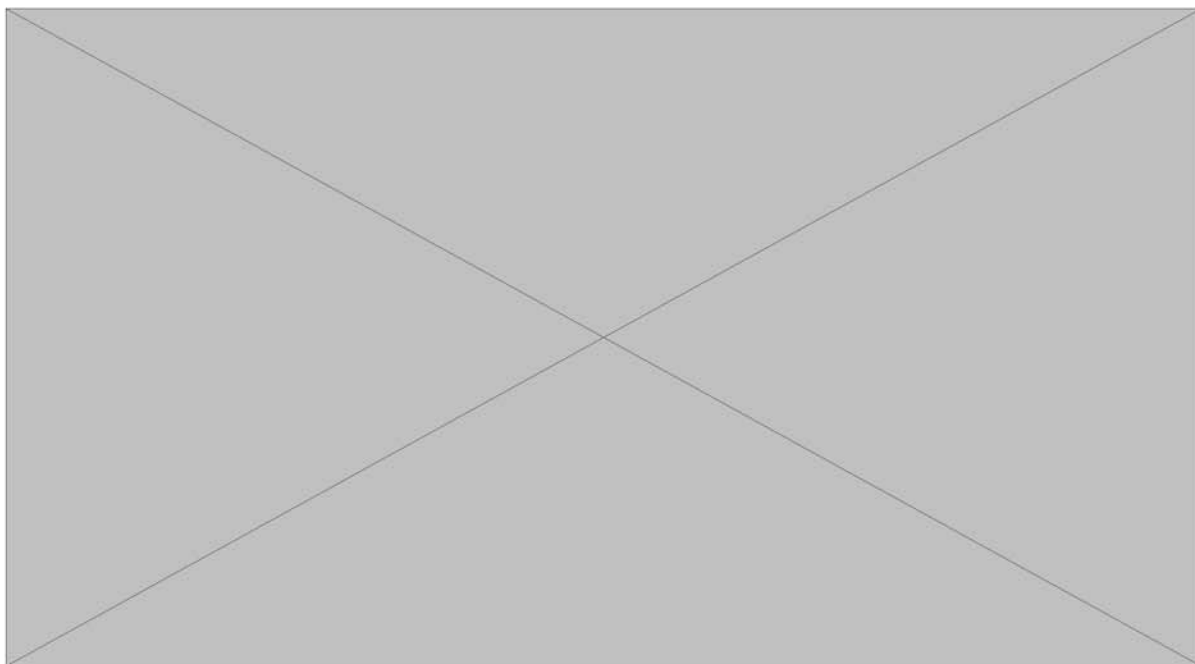


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To: Turk, Ronald B (b) (6)
From: Richard M. Aborn, Citizens Crime Commission of New York City
Sent: Thur 12/29/2016 2:26:15 PM
Subject: Our Efforts to Reduce Gun Violence in 2017

Be Part of the Solution: Reduce Gun Violence

Dear Ron,

As we reflect on 2016, the Crime Commission and its supporters have much to be proud of. This year, we launched a number of successful efforts--from educating users on how to protect themselves against [cybercrime](#), to our program [preventing social media-related violence](#), to our [partnership with the NYPD](#) to deter illegal gun crime, and our ongoing [multi-tiered efforts to stop gun violence](#).

As always, we could not have done any of this great work without your generous support. For that, I thank you. BUT, to be sure, there are significant challenges ahead.

Our country experienced horrific tragedies in 2016 related to the continued unbridled distribution of guns, including the Pulse Orlando Club mass shooting, the Dallas Police ambush, and many more acts of senseless gun violence.

This is why as we look ahead to 2017, I fear that your [support](#) will be more necessary than ever in the New Year, because we face a new president and a Congress with many members backed by the NRA. Washington is poised to attack our programs and our principles, despite clear evidence that they are working to make the public safer.

Our work is cut out for us.

We know first-hand what it takes to pass legislation at the national and state levels. We know first-hand the significant reductions in gun violence that can be achieved when government and groups like the Crime Commission all pull in the same direction.

We have been there, and with your continued support, will be there in 2017. Staunchly defending progress where we need to, advancing our life-saving agenda everywhere we can.

Continuing our efforts to reduce gun violence are more important than ever.

MATCHING GRANT

To help us confront the challenges ahead, a generous board member came forward to help start 2017 off in the right direction by matching up to \$10,000 in

contributions. By donating today, you can double your impact with any contribution of \$100 and higher. I hope you will join us in being part of the solution [by renewing your support today.](#)

Best wishes for the holiday season and the new year.

Kind Regards,



Richard M. Aborn
President

Be Part of the Solution

check or credit card by [completing this form](#);

- via PayPal at <https://www.paypal.me/NYCrimeCommission>; or
- via check by mail to Citizens Crime Commission of New York City, 335 Madison Avenue, 9th Floor, New York, NY 10017.

About the Citizens Crime Commission:

The Crime Commission is a non-partisan non-profit organization working to make criminal justice and public safety policies and practices more effective through innovation, research, and education. For more information on the Citizens Crime Commission of New York City, please visit our website: www.nycrimecommission.org.

Citizens Crime Commission of New York City, 335 Madison Avenue, 9th Floor, New York, NY 10017

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Sent by aborn@caasny.com

To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Thur 12/29/2016 2:01:34 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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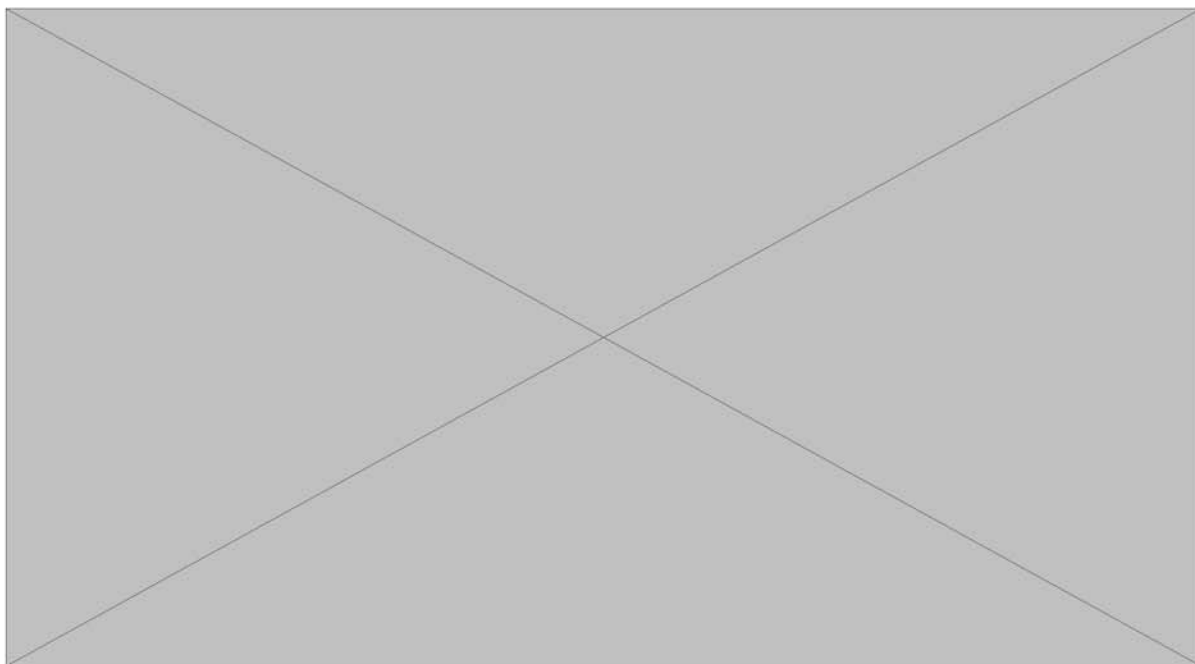


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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Wed 12/28/2016 5:52:07 PM
Subject: Re: Building a shield against gun thefts

Thanks Larry.

On Dec 28, 2016, at 12:17 PM, Larry Keane <(b) (6)> wrote:

<http://www.gastongazette.com/news/20161227/building-shield-against-gun-thefts>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
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(b) (6)
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Suite 490
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Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B. (b) (6) Brandon, Thomas E (b) (6)
From: Larry Keane
Sent: Wed 12/28/2016 5:19:20 PM
Subject: Building a shield against gun thefts

<http://www.gastongazette.com/news/20161227/building-shield-against-gun-thefts>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M:

(b) (6)

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11 Mile Hill Road

Newtown, CT 06470

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To: Turk, Ronald B (b) (6)
From: Richard M. Aborn, Citizens Crime Commission of New York City
Sent: Tue 12/27/2016 6:51:15 PM
Subject: Help Us Reduce Gun Violence in 2017 with a Matching Grant

Be Part of the Solution: Reduce Gun Violence

Dear Ron,

As we reflect on 2016, the Crime Commission and its supporters have much to be proud of. This year, we launched a number of successful efforts--from educating users on how to protect themselves against [cybercrime](#), to our program [preventing social media-related violence](#), to our [partnership with the NYPD](#) to deter illegal gun crime, and our ongoing [multi-tiered efforts to stop gun violence](#).

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Best wishes for the holiday season and the new year.

Kind Regards,



Richard M. Aborn
President

Be Part of the Solution

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Sent by aborn@caasny.com

To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Tue 12/27/2016 2:03:43 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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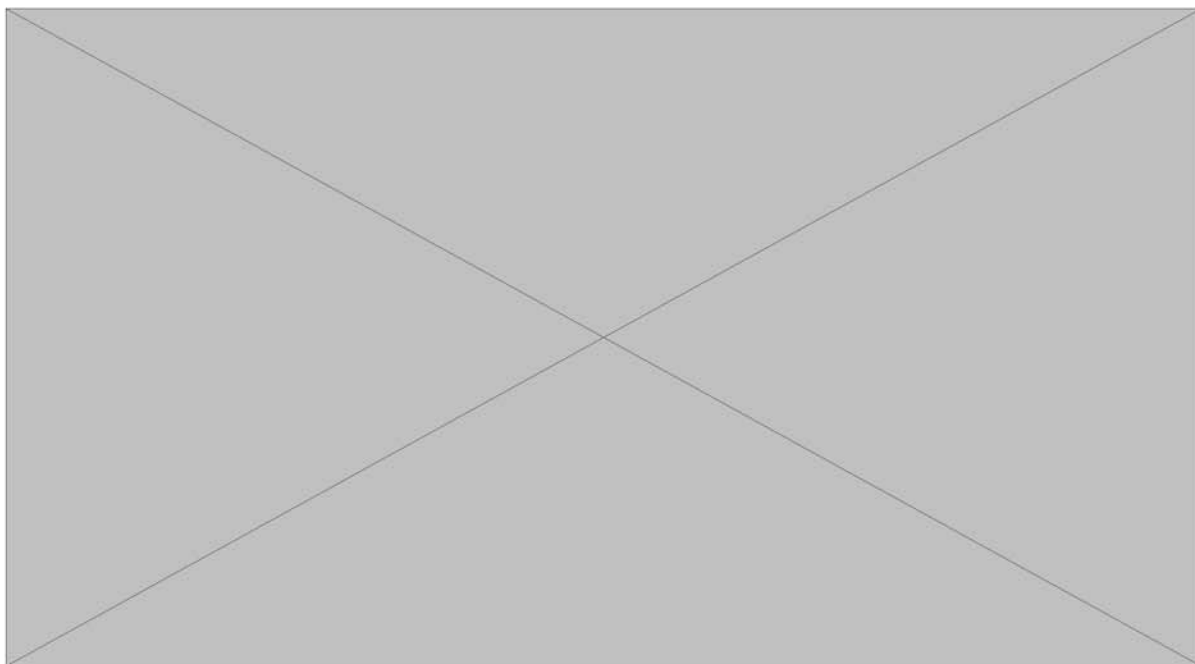


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To: Larry Keane (b) (6)
Cc: Brandon, Thomas E. (b) (6)
From: Turk, Ronald B.
Sent: Mon 12/26/2016 12:49:06 AM
Subject: Re: The News-Enterprise: Suspects arrested in Elizabethtown gun store robbery

Merry Christmas Larry. Not sure we can track cases that way consistently without creating staff work until we get our new case management system on line, but we'll check and talk with counsel and be ready to discuss by SHOT.

Ron

On Dec 25, 2016, at 6:12 PM, Larry Keane (b) (6) wrote:

Merry Christmas!

Another idea - if ATF/AUSA or ADA (as the case may be) will let NSSF (me) know when someone convicted (plea or trial) goes for sentencing, NSSF on behalf of industry would be happy to send the sentencing judge a letter urging an appropriate sentence be handed down reflecting the seriousness of the crime and the threat to public safety.

http://m.thenewsenterprise.com/newsenterprise/db_321794/contentdetail.htm?contentguid=DvnDTzeH

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
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(b) (6)

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Headquarters
11 Mile Hill Road
Newtown, CT 06470

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To: Turk, Ronald B. (b) (6); Brandon, Thomas E. (b) (6)
From: Larry Keane
Sent: Sun 12/25/2016 11:14:01 PM
Subject: The News-Enterprise: Suspects arrested in Elizabethtown gun store robbery

Merry Christmas!

Another idea - if ATF/AUSA or ADA (as the case may be) will let NSSF (me) know when someone convicted (plea or trial) goes for sentencing, NSSF on behalf of industry would be happy to send the sentencing judge a letter urging an appropriate sentence be handed down reflecting the seriousness of the crime and the threat to public safety.

http://m.thenewsenterprise.com/newsenterprise/db_321794/contentdetail.htm?contentguid=DvnDTzeH

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SVP Government & Public Affairs,
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To: Turk, Ronald B (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Thur 12/22/2016 2:07:44 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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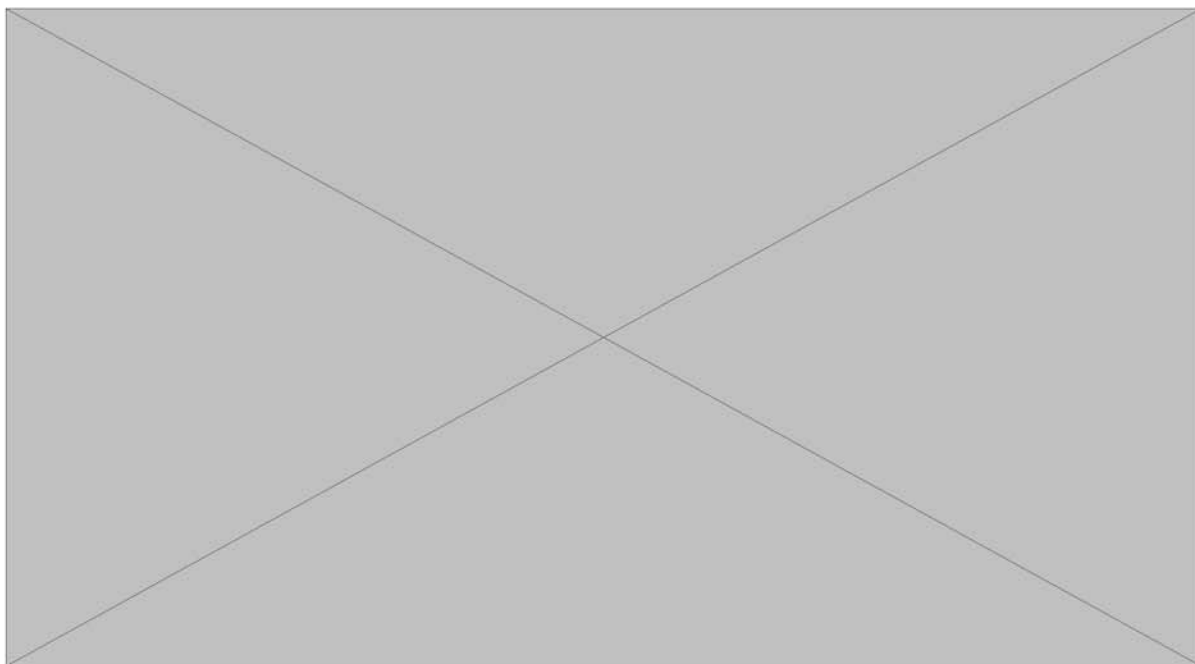


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To: Brandon, Thomas E. (b) (6)
Cc: Turk, Ronald B. (b) (6); Richardson, Marvin G. (b) (6); Shaefer, Christopher C. (b) (6); Allen, Joseph J. (b) (6)
From: Larry Keane
Sent: Tue 12/20/2016 2:11:22 PM
Subject: Re: SHOT Show

Tom

Sorry to hear that. We were looking forward to seeing you at SHOT.

Lawrence Keane
Senior Vice President, Assistant Secretary
& General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

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On Dec 20, 2016, at 8:13 AM, "[Thomas.E.Brandon](#)" (b) (6) wrote:

Larry,

I had planned on and looked forward to attending SHOT this year. For budget (very tight) and operational concerns, I will not be attending but Ron, Marvin, and Marvin's team will. I wish you and (b) (6) much success with SHOT 2017.

Tom

Sent from my iPad

To: Turk, Ronald B (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Tue 12/20/2016 2:03:22 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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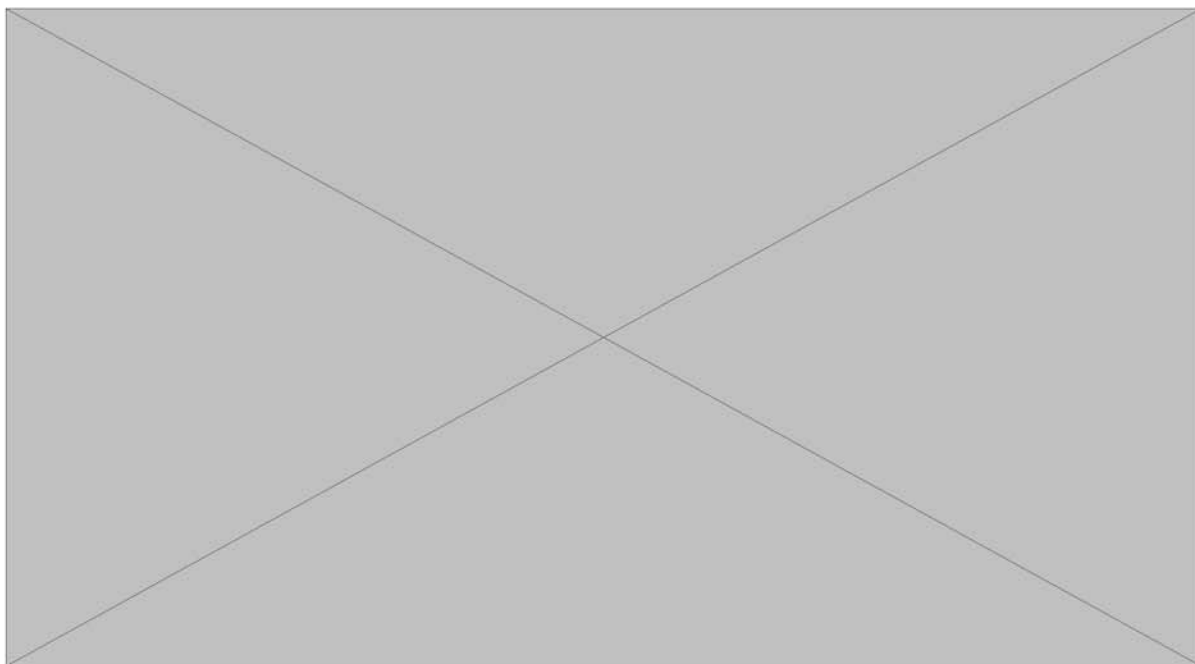


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, 716 Indian Garden Street, Las Vegas, NV 89138

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To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6); Richardson, Marvin G. (b) (6) Shaefer,
Christopher C. (b) (6) Allen, Joseph J. (b) (6)
From: Brandon, Thomas E.
Sent: Tue 12/20/2016 1:11:45 PM
Subject: SHOT Show

Larry,

I had planned on and looked forward to attending SHOT this year. For budget (very tight) and operational concerns, I will not be attending but Ron, Marvin, and Marvin's team will. I wish you and (b) (6) much success with SHOT 2017.

Tom

Sent from my iPad

To: Larry Keane (b) (6)
Cc: Turk, Ronald B. (b) (6); McDermond, James E (b) (6)
Richardson, Marvin G (b) (6)
(b) (6)
From: Brandon, Thomas E.
Sent: Mon 12/19/2016 10:37:43 PM
Subject: Re: Bullet Points - Weekly Firearms Industry Newsletter

Thanks, Larry.

Sent from my iPad

On Dec 19, 2016, at 4:52 PM, Larry Keane <(b) (6)> wrote:

FYI in Bullet Points today.

- Criminals are counting on FFLs being closed while owners and staff are spending time with their families, so before you lock your doors on Christmas Eve, go over [these 10 steps](#) to keep your inventory secure and your community safe.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation
W: (b) (6)
M: (b) (6)
(b) (6)

www.nssf.org
Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

Begin forwarded message:

From: Bullet Points <bulletpoints@nssf.org>
Date: December 19, 2016 at 4:48:51 PM EST
To: (b) (6)
Subject: Bullet Points - Weekly Firearms Industry Newsletter

Criminals are counting on FFLs being closed while owners and staff are

spending time with their families, so before you lock your doors on Christmas Eve, go over [these 10 steps](#) to keep your inventory secure and your community safe.

To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Mon 12/19/2016 9:56:15 PM
Subject: RE: Bullet Points - Weekly Firearms Industry Newsletter

Thanks Larry. Happy holidays to you and your family.
Ron

From: Larry Keane [mailto:(b) (6)]
Sent: Monday, December 19, 2016 4:54 PM
To: Brandon, Thomas E. (b) (6); Turk, Ronald B. (b) (6); McDermond, James E. (b) (6); Richardson, Marvin G. (b) (6)
Subject: Fwd: Bullet Points - Weekly Firearms Industry Newsletter

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To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Mon 12/19/2016 9:58:51 PM
Subject: Re: Bullet Points - Weekly Firearms Industry Newsletter

Right back at you!

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
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On Dec 19, 2016, at 4:58 PM, "[Ronald.B.Turk](#) (b) (6)" wrote:

Thanks Larry. Happy holidays to you and your family.
Ron

From: Larry Keane [[mailto:\(b\) \(6\)](#)]
Sent: Monday, December 19, 2016 4:54 PM
To: Brandon, Thomas E. <Thomas.Brandon@atf.gov>; Turk, Ronald B. <Ronald.Turk@atf.gov>;
McDermond, James E. <James.McDermond@atf.gov>; Richardson, Marvin G.
<Marvin.Richardson@atf.gov>; Arends, Ross F. <Ross.Arends@atf.gov>; Badowski, John B.
<John.Badowski@atf.gov>
Subject: Fwd: Bullet Points - Weekly Firearms Industry Newsletter

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Subject: Bullet Points - Weekly Firearms Industry Newsletter

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To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6) McDermond,
James E. (b) (6) Richardson, Marvin G. (b) (6)
(b) (6)
From: Larry Keane
Sent: Mon 12/19/2016 9:54:06 PM
Subject: Fwd: Bullet Points - Weekly Firearms Industry Newsletter

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To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Thur 12/15/2016 2:05:12 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

[Website](#) [New Products](#) [Products Gallery](#) [Pricing](#) [About](#) [Contact](#)

NSSF SHOT SHOW 2017

Furniture Rental

www.camdentradeshow.com

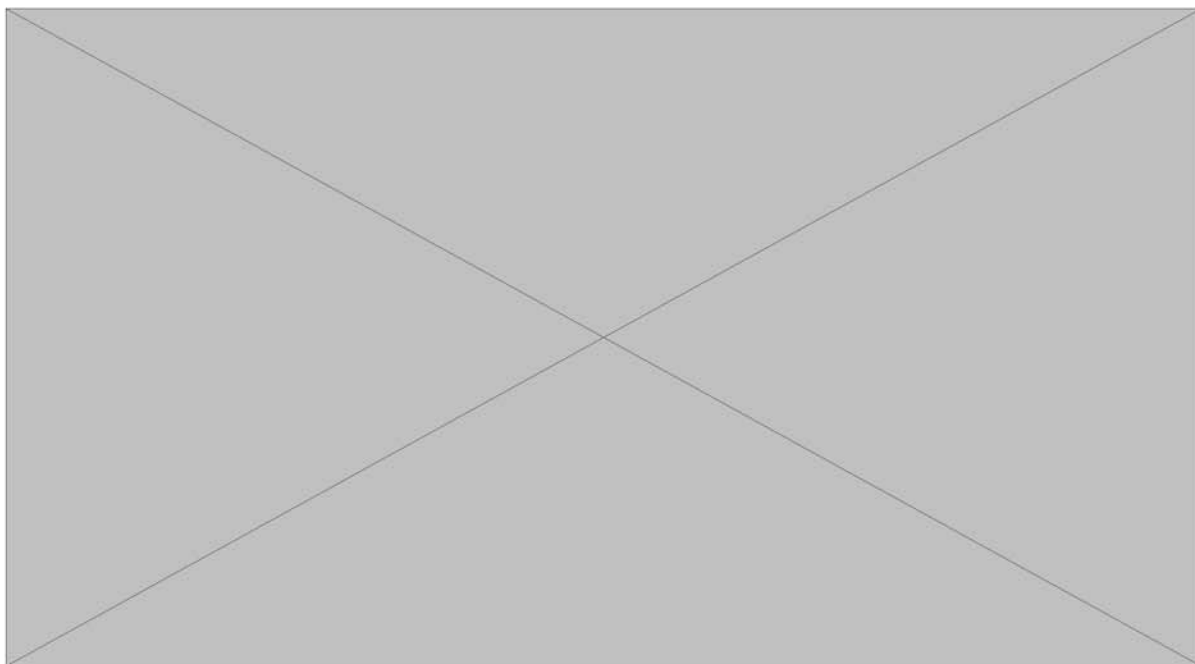


Dear Exhibitor,

Getting attendees into your exhibit relies on first impression:

Furniture is a key element in creating an inviting and impressive exhibit space or meeting room.

Ask about our Camden Power Up Collection line of furniture equipped with convenient built-in USB charging ports.



At Camden Tradeshow & Event Furnishings we are proud to provide exhibitors:

- Outstanding Product Quality and Selection
- Advantageous Price Points
- *Superior Customer Service AND*
- ***A 25% Savings on orders placed by January 6, 2017***

[Contact us at 702-474-4877 for assistance with your order.](#)

Sincerely,

Kevin Camden
Camden Tradeshow & Event Furnishings

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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Tue 12/13/2016 3:09:26 PM
Subject: Re: ATF/NSSF - FFL burglaries

Thanks Larry

On Dec 13, 2016, at 10:05 AM, Larry Keane <(b) (6)> wrote:

FYI

From: Larry Keane
Sent: Tuesday, December 13, 2016 10:07 AM
To: Marvin G. Richardson (b) (6); Joseph Allen (b) (6)
Cc: (b) (6)
Subject: ATF/NSSF - FFL burglaries

Guys,

I wanted to follow with you on our meeting about FFL burglaries. When you have a chance please send me the PDFs for the two publications you would like NSSF to push out to retailers. We're very happy to do so. I believe (b) (6) you were going to send an article we could try to have placed in SHOT Business or perhaps in SHOT Daily. The soon you can send that along the better.

Thanks again and NSSF looks forward to continuing to assist ATF in helping to address this vexing problem.

Lawrence Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation
W (b) (6)
M (b) (6)

www.nssf.org

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<image001.jpg>

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*NSSF is the trade association for America's firearms industry.
Our mission: To promote, protect and preserve hunting and
the shooting sports*

To: Turk, Ronald B. (b) (6)
From: Larry Keane
Sent: Tue 12/13/2016 3:07:45 PM
Subject: FW: ATF/NSSF - FFL burglaries

FYI

From: Larry Keane
Sent: Tuesday, December 13, 2016 10:07 AM
To: Marvin G. Richardson (b) (6)
Joseph Allen (b) (6)
Cc: Steve Sanetti
Subject: ATF/NSSF - FFL burglaries

Guys,

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Thanks again and NSSF looks forward to continuing to assist ATF in helping to address this vexing problem.

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To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Tue 12/13/2016 2:00:37 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

[Website](#) [New Products](#) [Products Gallery](#) [Pricing](#) [About](#) [Contact](#)

NSSF SHOT SHOW 2017

Furniture Rental

www.camdentradeshow.com

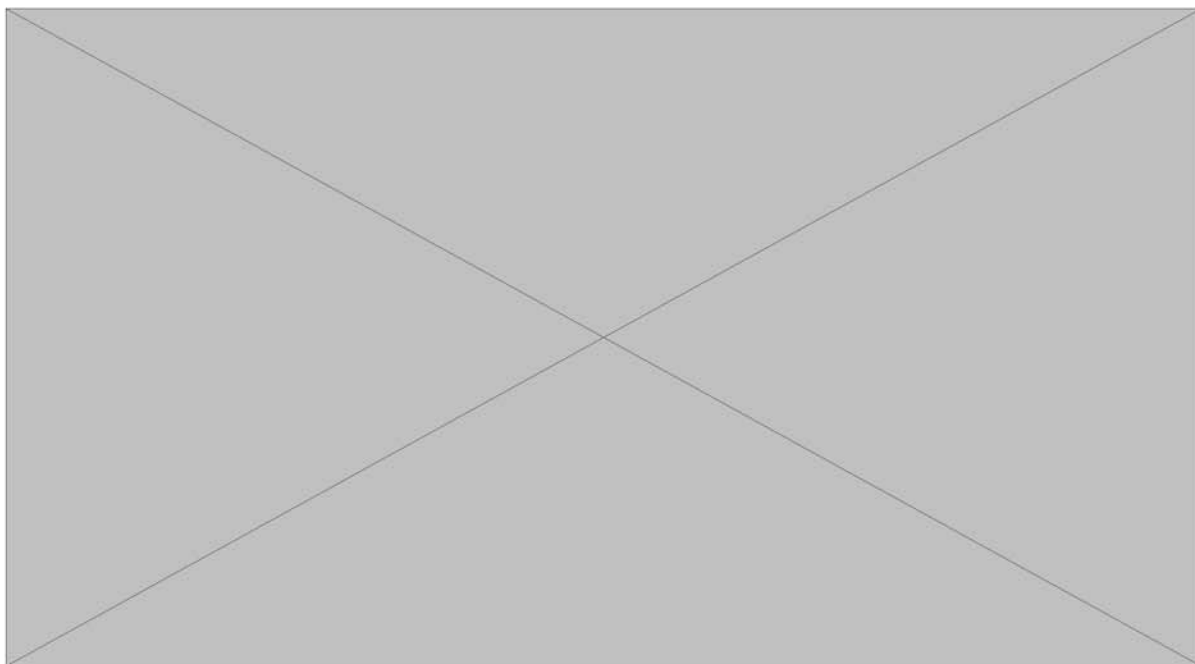


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To: Brandon, Thomas E (b) (6) Turk, Ronald B (b) (6)
From: Richardson, Marvin G.
Sent: Mon 12/12/2016 9:24:53 PM
Subject: SHOT Show Attendee's and Agenda's
[2017 DRAFT SHOT Show Attendees.docx](#)
[2017 SHOT Show - All Meeting Agendas.docx](#)

Sirs,

Attached are soft copies of the final drafts of the Shot Show Attendee's list and Meeting agenda's for your review. After reviewing, if you would like a formal briefing please let me know and I will arrange one. If you have any questions please let me know.

Thanks!

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648-(b) (6)
Cell (b) (6)

"Leaders don't do what they want to do, they do what is right".

From: (b) (6)
Sent: Monday, December 12, 2016 2:33 PM
To: Richardson, Marvin G. (b) (6) Gilbert, Curtis W. (b) (6)
Cc: (b) (6)
Subject: Meeting Agendas - All in One

Please find attached for your review. Once approved, I will forward to the meeting attendees.

(b) (6)
Division Chief, Firearms and Explosives Industry Division
6.N-648
Direct: (202) 648-(b) (6)
Cell: (b) (6)

2017 SHOT Show Meetings

Monday January 16	Venetian, Delfino Ballroom level 4 Room 4001 A&B
	1:00 - 3:00 ATF/NSSF/Manufacturers Round Table
Tuesday January 17	Sands Convention Center, Hall G, in Room 303
	8:30 - 9:00 Meeting with Colt
	9:10 - 9:40 Meeting with Remington
	9:50 - 10:20 Meeting with Orchid Advisors
	10:30 - 11:00 American Suppressor Association
	11:10 - 11:40 Meeting with Mossberg
	11:50 - 1:15 Lunch (will be brought in)
	1:30 - 2:00 Meeting with AFRA
	2:00 - 2:30 Meeting with Gun Broker.com
	2:45 - 3:15 NFATCA
	3:30-4:00 National Association of Arms Shows
Wednesday January 18	Sands Convention Center, Hall G, in Room 303
	8:30 - 9:30 Meeting with Defense Munitions Manufacturers
	9:45-11:00 Meeting with Corporate Retailers
	11:15-12:15 Meeting with Wal-Mart
	12:30-1:30 Lunch
	2:00-3:00 Lando Ballroom 4301B
	ATF Town Hall Meeting
	3:30 - 4: 30 Venetian, Delfino Ballroom, Room 4106
	Meeting with Fair Trade Group
Thursday January 19	Sands Convention Center, Hall G, in Room 303
	10:00 - 11:30 Meeting with Software Vendors
	2:00 - 3:30 Meeting with Mid-Level Manufacturers

BOLD = Meetings the Deputy Director and or Staff may want to attend

1. Wetted Nitrocellulose - **FEID**

NSSF requests that ATF define wetted Nitrocellulose in a separate category from Nitrocellulose Explosive and clearly state that it is not an explosive.

ATF has not changed their position. We are still in alignment with DOT's determination that it is not regulated in its wetted form.

2. Armor Piercing Ammunition - **EPS**

Request that ATF rule on all pending petitions.

AD Richardson will address this issue.

3. Storage of Customer's Firearm at FFL Range - **FO/FEID**

What is ATF's policy on allowing customers to store their firearms at FFL's range premises? In the past, as long as the FFL did not have access to the customer's firearm stored on their premises, then no entry was required in the A&D book and no NICs/4473 needed when the customer removed their firearm from FFL premises. There are instances, specifically in NJ, where local ATF is allowing such storage and the FFL does have access. The FFLs are being told that no entry in A&D is required and no 4473/NICs when removed by the customer. FFLs are saying that ATF is allowing because NJ State Police require the FFL to have access (one FFL key is stored in a safe in a locked room). If ATF is giving a special exemption to NJ FFLs, this should appear in writing or perhaps they can clarify at your mtg.

There are no special rules for FFLs in NJ.

4. Form 4473 - **FEID**

NSSF requests clarification in states with waiting periods, i.e. California and other states, on who fills out ATF Form 4473 Questions Nos. 33-35. The form says whoever completed section B. However some of the FFLs report receiving contradictory direction. Perhaps a topic for next ATF FFL newsletter.

The instructions on the new form state that the person transferring the firearm(s) must complete questions 34-37 (at the time of actual transfer). For denied/cancelled transactions, the person who completed Section B must complete questions 34-36.

5. NFA Paperwork Processing Services - **NFAD/FEID**

Issue of concern: We are aware of third party companies advertising NFA processing services for 01 SOT FFLs that wish to acquire and sell NFA items. The third parties advertise that they can get NFA forms processed faster because they electronically upload NFA applications in large quantities to ATF and get a quicker return. The company asks FFLs to add one or two of their employees to the FFLs authorized signatory list and notify ATF so that these employees can sign ATF Form 3s and 4s on behalf of the FFL. These FFLs are not located anywhere near the third party, e.g. several states away. The third party asks the FFL to submit information on both the Form 3s (sale from dealer to dealer) and the Form 4s (sale from end dealer to customer) for the same item at the same time. FFLs

claim that the third party tells them that they have a variance from ATF to perform this type of operation. The third party told NSSF they are not in violation, but they were not willing to share their supposed variance. Can ATF confirm that such a variance exists and if it does, what are the details? How can FFLs who use a third party as a service be sure that they are not violating any ATF regulations/policies? NSSF is being asked if this is permissible or whether it violates ATF regulations.

There has been no variance issued to any FFL regarding this type of issue.

6. Safe Explosives Act – Tracers - **FEID**

Clarify earlier explosives newsletter did not mean to say tracers were not covered under the small arms exemption.

One of the intentions of the article was to let people know that if tracer ammunition (or any ammunition for that matter) contains other pyrotechnic mixtures or high explosives (other than what is listed in the definition of “ammunition” in 27 CFR 555.11) then it is not exempt as small arms ammunition and is regulated as an explosive. This did not intend to suggest that all tracer ammunition contains other pyrotechnic mixtures or high explosives.

7. Revisit shotgun importability study - **FATD**

Sporting purpose test, i.e. recognize 3-Gun matches is a shooting sport.

For discussion.

8. Revisit importability of rifles – sporting purpose test – **FATD**

For discussion.

9. Form 9 – approval process - **FESD**

(approve w/o need for DDTC export license; 2-step process causes unnecessary delays)

For discussion.

COLT MEETING

Tuesday, January 17th, 8:30am to 9:00am
Sands Convention Center, Hall G, Room 303

-
1. Guidance on the latest way for our subcontract processing vendors (heat treat, etc) to be exempt from marking requirements (ATF Ruling 2009-5, 2010-10). Are they still supposed to send multiple emails every day per shipment? – **FTISB/FEID**

No. The ruling does not require multiple emails. 2009-5 states prior to engaging in the manufacturing process, the manufacturer desiring not to mark must submit to ATF the following information:

- (a) The manufacturer's name, address, and license number, and the name, address and license number of the manufacturer for which the manufacturing process is being performed;
- (b) A copy of the license held by each manufacturer;
- (c) A description of the type of manufacturing process to be performed by the manufacturer desiring not to mark;
- (d) The model(s), if assigned, of the firearms subject to the manufacturing process described;
- (e) The serial numbers of the firearms in sequential order;
- (f) The calibers or gauges of the firearms; and
- (g) Any other information concerning the firearms manufacturer(s) or manufacturing process that ATF may require.

2. Who should be listed as the "Manufacturer" in the A&D Book if the frame is manufactured at a vendor under a variance? FIPB has put out guidance saying that it should be what is marked on the gun, others have been cited for not listing the vendor as the Manufacturer. – FIPB

There are two issues: 1) Properly logging the acquisition and disposition of the firearm within the vendor's and manufacturer's A&D records and 2) properly identifying the "Manufacturer" within the line item recording the firearm within the vendor's and manufacturer's A&D records.

For logging the acquisition and disposition of the firearm as a whole: The licensed manufacturer that produces the frame should log the frame/receiver into its own A&D record book as having been manufactured by themselves. The disposition should be recorded to the other licensee (the one whose identifying information is actually marked on the frame/receiver). When it is acquired by the licensee whose markings appear on the frame, it should be recorded in as having come from the manufacturing licensee and then disposed of to whomever receives it: wholesaler, retailer, individual, etc.

When the firearm (frame/receiver, rifle, pistol, etc.) is received by the wholesaler/retailer, they should record the MANUFACTURER as the company that is MARKED on the firearm regardless of who actually physically made the frame/receiver. Likewise, the two licensees that have a marking variance approved, should record in the line item where "Manufacturer" must be recorded, the licensee whose information is physically marked on the firearm.

3. Any progress on the ATF NFA Form 9 approval becoming a notification? – NFAD/ORA

An ATF Form 9 petition working group has been assembled to work with the Office of Regulatory Affairs (ORA) to evaluate the feasibility of a regulation change regarding making the ATF Form 9 a notice similar to the ATF Form 2 in lieu of an application for permit. The working group has not made a recommendation at this time.

REMINGTON MEETING
Tuesday, January 17th, 9:10am to 9:40am

No Agenda Submitted.

ORCHID MEETING

Tuesday, January 17th, 9:50am to 10:20am

1. State of the firm and structural changes
2. Planning ahead for the FICC
3. Interest in cooperative ATF / Orchid programs
 - a. ATF compliance and record keeping technology (State DB, SNIT, NFRTR, eForms, eFFL etc.)
 - b. Marking and record keeping standards

ASA MEETING

Tuesday, January 17th, 10:30am to 11:00am

1. Current volume of suppressors in the NFRTR: - **NFAD**
 - a. Breakdown of number of suppressors, overall and by state, currently registered to:
 - i. Non-licensee
 1. Individual
 2. Trust/Legal entity
 - ii. FFL/SOT
 - iii. GOV/LE/MIL
 - b. Individual vs. trust/legal entity
 - i. Quantity and percentage of civilian transfers over the last 5 years
 - c. State
 - i. Breakdown of number of civilian owned suppressors and suppressors possessed by FFL/SOTs by State
 - d. Five year breakdown of Form 4 suppressor ownership
 - i. Total number of Form 2 suppressor transfers by year
 - ii. Total number of Form 4 suppressor transfers by year
 - e. Number of Form 4 rejections for suppressors and top reasons for rejection
2. Form Processing - **NFAD**
 - a. Current processing times and backlog for Forms 1, 3, 4 and 5
 - b. What measures is ATF taking to address the backlog and processing times?
3. eForms 2.0 - **NFAD**
 - a. What is the current status for eForms 2.0?
 - b. What is the timeline to launch?
 - c. How can ASA assist in the launch of eForms 2.0?
4. What is the current makeup of the NFA Branch? - **NFAD**
 - a. Number of examiners

- b. Number of assistants
- c. Are there any plans to hire additional resources in 2017?

An updated spreadsheet with all these requested statistics will be provided by NFAD at this meeting.

- 5. Status of Docket No. ATF 29P? – **ORA/NFAD**
 - a. What is the current status of the ANPRM?

By the comment deadline of August 2, 2016, ATF received 47 comments regarding this ANPRM on the placement of markings on silencers. Currently, ATF is analyzing these comments.

MOSSBERG MEETING

Tuesday, January 17th, 11:10am to 11:40am

No Agenda Submitted.

AFRA MEETING

Tuesday, January 17th, 1:30pm to 2:00pm

- 1. Participation in and organizations of regional FFL outreach seminars in the coming year.
- 2. Development of “Don’t try if you can’t Buy” program to create awareness amongst the public of the laws surrounding prohibited purchasers. This could be combined with the “Don’t lie” program for a more concise and more encompassing messaging.
- 3. Development of a community firearms safety program aimed at firearms storage in the home and firearms safety for school age youth.
- 4. Development and Participation of “FFL Safety Net” an open forum for FFLs to share information on local suspicious activity and a way to share that information with local Law Enforcement.
- 5. Participation of ATF on the AFRA website in the form of a monthly column pushing out information on regulations changes and clarifications.
- 6. Update from ATF on the status of electronic 4473 software programs and discussion on possibilities for AFRA input into the program in the future.

GUN BROKER.COM MEETING

Tuesday, January 17th, 2:00pm to 2:30pm

1. Introductions
2. ATF Content/Links on Site
 - a. FFL Dealer Locator
 - b. EZ Check Access
 - c. Link to www.atf.gov
 - d. Federal/State Firearm Law Resources
 - e. Link to ATF Learning Theatre
3. GunBroker.com Registration Requirements
4. User Identify Verification
 - a. Preliminary
 - b. Extended Verification Protocols
 - c. Conditional Manual Verification
 - d. Restriction of Multi-User Registrations
5. Ongoing Monitoring
6. Other Fraud Safeguards
7. User Termination
8. Ongoing GunBroker.com/ATF Dialogue
9. Other

DRAFT

NFATCA/LWRCI MEETING
Tuesday, January 17th, 2:45pm to 3:15pm

1. Would like to see the current status on all eforms and future state of this product. – **FESD**

Currently working to make the eforms 1, 4, and 5 available. They are being modified to incorporate the 41F requirements to allow for the submission by trust and individuals. No exact timeline for return of the forms. Expectancy late Spring 2017.
2. Would also like to discuss the filing of form 5's and 9's and how to drive efficiency into this process.
– **NFAD**

Open for discussion.
3. Since a form 9 is a permanent export would like to discuss the issues that occur in where modifications need to be made on the form 9 to correct changes on the original form 2 filing. If it is a permanent export what difference does the barrel length and overall length make with the NFRTR? – **NFAD**

Open for discussion. The records should be complete and accurate and reflect what is in the NFRTR.

4. We are seeing a dramatic increase in the urgency of law enforcement purchases at the Federal and State levels (processing needs to speed up). Is there something the NFA Branch can do, or are there plans in place to support law enforcement with expediency? This is something that I discussed with Marvin at SHOT 2016. – **NFAD**

We continue to advise licensees who are acquiring or transferring firearms to or from law enforcement agencies to provide a letterhead with each transactions to identify it is a transaction for law enforcement. Once these applications are filed especially if the licensee has numerous transactions pending it is impossible to locate and identify what is what.

5. Why is it that when we submit changes to the NFRTR the following year, when running the inventory report, the corrections have not been made? – **NFAD**

This is being addressed with the onboarding of more specialist.

NATIONAL ASSOCIATION of ARMS SHOWS (NAAS) MEETING

Tuesday, January 17th, 3:30pm to 4:00pm

1. Follow-up on request for advisory opinion on gun show licenses, submitted on February 18, 2016. – **OCC/FEID**
2. Potential of gun show promoters' rolls in ATF's enhanced physical security threat warning program; ability of gun show promoters to receive and disseminate warning information to exhibitors. - **EPS**

DEFENSE CONTRACTORS MEETING

Wednesday, January 17th, 8:30am to 9:30am

No Agenda Submitted.

CORPORATE RETAILERS MEETING

Wednesday, January 18th, 9:45am to 11:00am

1. How can Academy help IOIs prepare for compliance audits our larger volume stores? We've had a couple of audits last for up to 2 months due to the quantity of firearms in inventory, large volume of sales, and the numerous forms to review. (Academy) - **FO**
2. During an ATF Audit, what documents/licenses are required or should be prepared for an inspection? We have been requested by auditors to show internal shipping/receiving records, State Business Licenses, State Retail Sales Tax Licenses, Zoning Compliance Documents, proof of insurance, copies of our internal training documents, copies of manager driver's licenses, etc. (Dunham's Sports) - **FO**
3. This question involves the transfer of Long guns to Florida residents. There are counties in the state of Florida that require a waiting period for the transfer of a long gun to a customer that is a Non Licensee, however the same customer can go to another county in Florida that does not require the waiting period and obtain the long gun without the waiting period. If a resident of Florida that lives in a county that requires the waiting period travels to another state (such as Georgia or Alabama) where there is no state restriction for that customer in that state, is the dealer required to hold the firearm(s) for waiting period before the transfer? (Bass Pro) - **FO/FEID**

WAL-MART MEETING

Wednesday, January 18th, 11:15am to 12:15pm

No Agenda Submitted.

ATF TOWN HALL MEETING
Wednesday, January 18th, 2:00PM to 3:00pm
Lando Ballroom 4301B

1. Opening Comments/Introductions – **AD Marvin Richardson**
2. State of the Industry – A Look at FFL Burglaries – **SAC Thomas Chittum**

FAIR TRADE GROUP
Wednesday, January 18th, 3:30pm to 4:30pm
Delfino Ballroom Rm# 4106

1. Status on the FAIR Form 9 Petition. – **NFAD/ORA**

An ATF Form 9 petition working group has been assembled to work with the Office of Regulatory Affairs (ORA) to evaluate the feasibility of a regulation change regarding making the ATF Form 9 a notice similar to the ATF Form 2 in lieu of an application for permit. The working group has not made a recommendation at this time.

2. Update on any changes to the duration of International Import Certificate. - **FESD**

A Letter was sent to Commerce on 1/17/14, requesting changes to the IIC to update the information and to extend the period of validity to one year. ATF has had no response.

3. Status of ATF reevaluation of wetted nitrocellulose. - **FEID**

ATF has not changed their position. We are still in alignment with DOT's determination that it is not regulated in its wetted form.

4. Current marking variance process. – **FATD**

FATD will provide the process as a handout at the meeting.

5. Importation of U.S. origin firearms in light of recent foreign policy changes (e.g. Vietnam). - **FESD**

We have been advised by State that import applications may be submitted for Vietnam, Sri Lanka, Cote d'Ivoire and Liberia.

6. ATF NPRM on secure gun storage. – **ORA**

By the comment deadline of August 24, 2016, ATF received 4 comments regarding this NPRM on secure gun storage. Currently, ATF is analyzing these comments and preparing a final rule for publication.

7. Review of the 2016 rulings on recordkeeping. – FIPB

ATF Ruling 2016-1: Authorizes licensees to maintain their firearms acquisition and disposition records electronically instead of in paper format provided the conditions set forth in the Ruling are met. Superseded ATF Ruling 2013-5. Corrections and changes to entries must be tracked by a) retaining the correction as an entirely new entry OR b) by the system printing the corrections as a separate report OR c) if a spreadsheet program, the system must be able to track any edits/corrections/amendments in a “notes” column. The electronic records may be stored on a computer server or device owned and operated by the licensee OR contracted/leased by the licensee through a host facility (remote server or cloud storage provider). Daily backup required.

ATF Ruling 2016-3: Authorizes licensed manufacturers to consolidate their records of manufacture or other acquisition of firearms with their separate firearms disposition records, provided all of the conditions of the Ruling are met. Superseded ATF Ruling 2010-8. If a licensed manufacturer makes changes to the model, type, caliber, size, and/or gauge of frame, receiver, or assembly of a firearm, the firearm should remain logged into the A&D record until the changes and/or conversions are complete. Once the change and/or conversion is complete, the licensed manufacturer should then log the firearm out of the A&D record as a disposition to itself using the licensed name and license number. The date of the disposition would be the change and/or conversion date. Concurrently, the licensed manufacturer would record the new firearm information on a separate line of the A&D record as an acquisition from itself on the same date as the date of the change and/or conversion. By using this Ruling, a single line item will be recorded for each firearm manufactured or otherwise acquired and sold or otherwise disposed of by a licensed manufacturer. Permanent record retention.

8. Validity period of law letters used to support importation of full automatic firearms (FAIR will be submitting this week a petition to amend the period of validity for the law letter). – FESD

For Form 6 applications for the demo of machineguns, the law letter must be dated within 6 months of the submission of the Form 6.

9. What brokering activity ATF requires licensing under GCA. – FIPB

ATF has stated in the past that persons who engage in the business of brokering firearms by buying firearms from a manufacturer, selling those firearms to a licensed third party, and then arranging with the manufacturer to have the firearms drop shipped to the purchaser, are required to obtain an FFL. Recently, ATF has seen instances of persons brokering firearms for sale to foreign purchasers. In these instances, the broker is purchasing firearms from FFLs and then arranging for pick up by or shipment to an international freight forwarder. Just as with instances of domestic purchases and shipment, the broker is usually not taking physical possession of the firearms during any part of the transaction. However, by buying and selling the firearms as a regular course of business or with the principal objective of livelihood and profit, the broker is considered to be engaged in the business of dealing in firearms and is

required to obtain a Federal firearms license. Additionally, the broker would have to meet all the requirements of the Arms Export Control Act (AECA).

10. Is it possible to match up the FFL license renewals with the AECA renewals (i.e. AECA allows for a 1-5 year election if I remember correct, while FFL is fixed at every 2 years for 08 and 09 licenses)? - **FESD**

The FFL would need to match that up themselves. When their FFL comes up for renewal they can submit the AECA application at the same time and choose a three year period to match the FFL.

11. Would ATF consider having the Form 5 as a notification process just for USG transfers only? Justification for this would be predicated on the existence of the 479.33 exemption. - **NFAD**

ATF is not considering this at this time.

12. ATF's requirement that the date of release for imported articles is the date of release from Customs. There is concern over relying on the accuracy of the serial number listing from the exporter to create the acquisition record because the importer does not have the physical inventory at the time of Custom's release. Further, there is concern over ATF requiring as the date of acquisition a date that is not the same as the importer taking physical possession. - **FESD**

If they are requesting an extension to the regulation of logging the firearms within 15 days that is a policy/variance request or regulation change.

DRAFT

Thursday, January 19th, 10:00am to 11:30am

No Agenda Submitted.

MID-LEVEL MANUFACTURERS MEETING

Thursday, January 19th, 2:00pm to 3:30pm

1. Who puts stripped lowers on their MFG report and where/how? We've been instructed 3 different ways over the years. Is it the actual variance MFG making the parts or the MFG named on the parts? (From [REDACTED] New Frontier Armory) - **FIPB/NFAD**

The AFMER is a statistical report of “Production”, so the physical act of manufacturing or marking the firearms does not have impact on the reporting timeline. The best way to determine the reporting manufacturer is to “follow the bouncing ball” if you will. A firearm is reported on the AFMER at the point it is *entered into commerce* for the very first time (best described as the VERY FIRST time a new firearm, in any configuration, leaves a manufacturer’s books/possession/control, and is in the possession/control of a non-manufacturer (Type 01/02/03 etc, or a non-licensee).

In the case above, the manufacturer working the receivers on variance (Man A) does NOT report since all the firearms will be transferred to the manufacturer that the work is being done for (Man B). Once Man B disposes the firearm, whether it is reported is determined by WHERE he disposes the firearm. If to a non-manufacturer/non-licensee, then Man B reports it in the configuration it went out as (rifle, pistol, receiver, etc). NOTE: Receivers should be reported in 8j “miscellaneous firearms” with a written or attached note describing the firearms.

If Man B sells/transfers to ANOTHER manufacturer (Man C), then Man B does NOT report the firearms, and Man C would report them IF HE DISPOSES INTO COMMERCE.

To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6) Richardson,
Marvin G. (b) (6) McDermond, James E. (b) (6)
From: Larry Keane
Sent: Thur 12/8/2016 12:14:39 AM
Subject: Burglary Prevention Part V—Testing Your Alarm System | NSSF Blog

FYI

<http://www.nssfblog.com/burglary-prevention-part-v-testing-your-alarm-system/>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office

400 No. Capitol St., NW

Suite 490

Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Turk, Ronald B (b) (6)
From: Larry Keane
Sent: Wed 12/7/2016 9:09:10 PM
Subject: RE:

10-4

From: Ronald.B.Turk@usdoj.gov (b) (6)
Sent: Wednesday, December 07, 2016 3:56 PM
To: Larry Keane
Subject: RE:

Sounds good Larry – shoot me a note or text when a few mins out and I'll come out to meet you.

From: Larry Keane [mailto:(b) (6)]
Sent: Wednesday, December 7, 2016 3:32 PM
To: Turk, Ronald B. (b) (6)
Subject:

Ron

Coffee tomorrow - Say 11:30am at HQ?

Lawrence G. Keane
Senior Vice President, Assistant Secretary
& General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)
(b) (6)

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To: Larry Keane (b) (6)
From: Turk, Ronald B.
Sent: Wed 12/7/2016 8:55:32 PM
Subject: RE:

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From: Larry Keane [mailto:(b) (6)]
Sent: Wednesday, December 7, 2016 3:32 PM
To: Turk, Ronald B. (b) (6)
Subject:

Ron

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Pages 4823 – 4824

Pulled for additional review

To: Turk, Ronald B (b) (6)
From: Larry Keane
Sent: Wed 12/7/2016 8:32:00 PM

Ron

Coffee tomorrow - Say 11:30am at HQ?

Lawrence G. Keane
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To: Turk, Ronald B. (b) (6)
From: Camden Tradeshow & Event Furnishings
Sent: Wed 12/7/2016 2:05:38 PM
Subject: NSSF SHOT SHOW 2017 Furniture Rental

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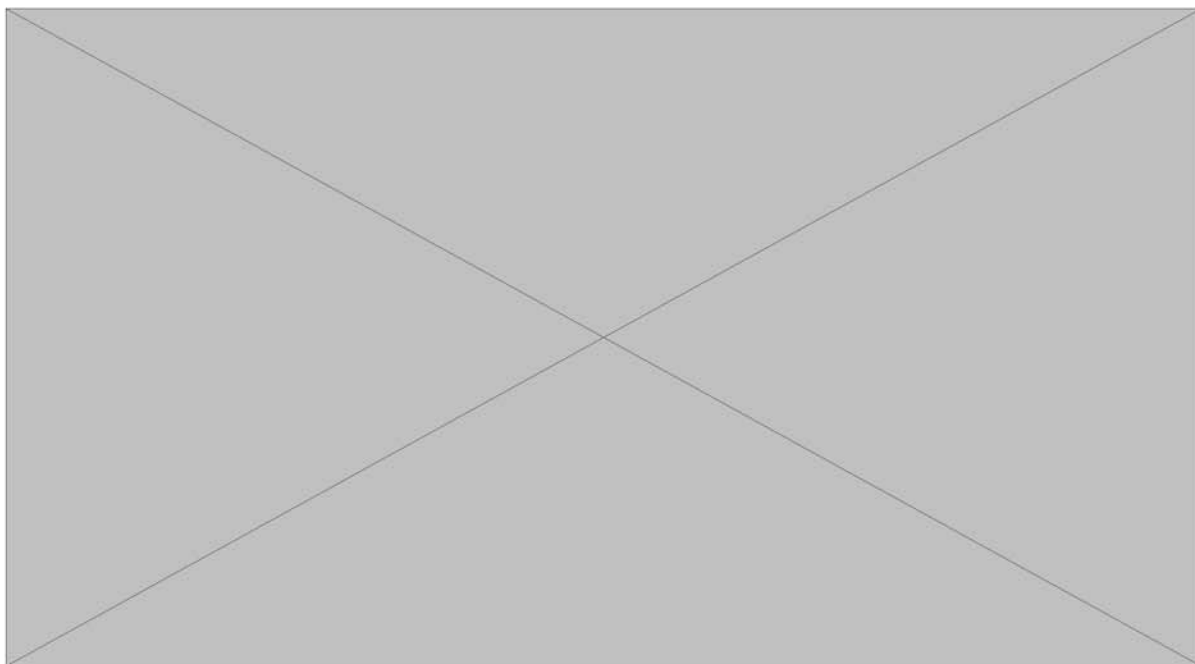


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From: Camden Tradeshow & Event Furnishings
Sent: Wed 11/30/2016 2:01:19 PM
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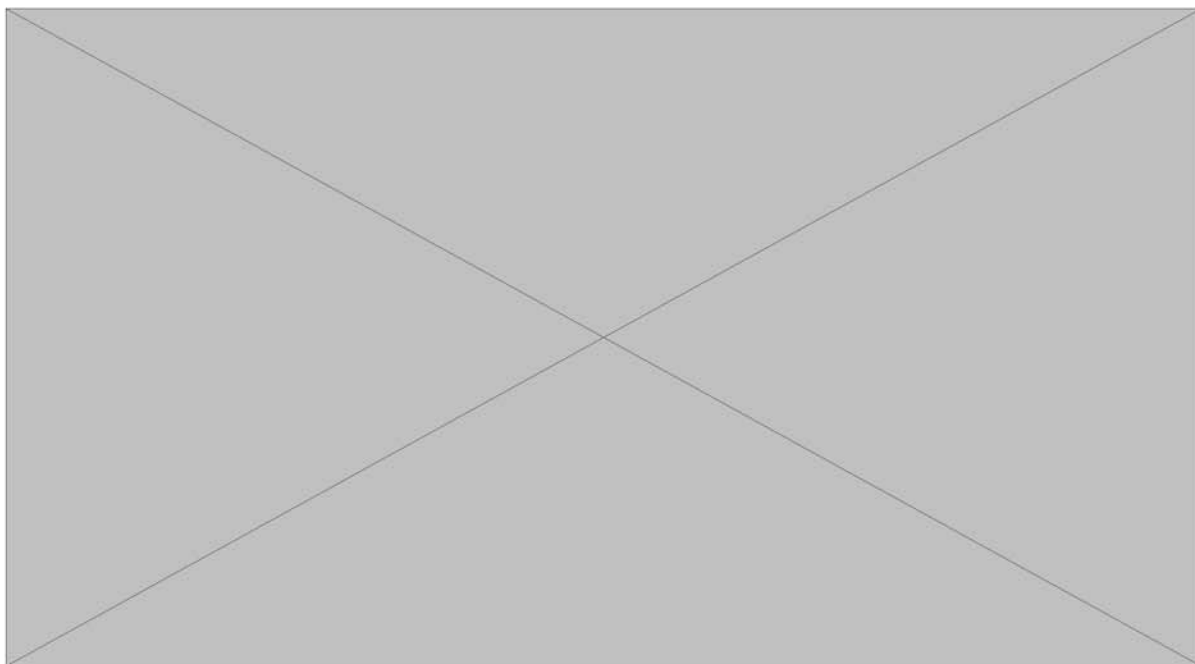


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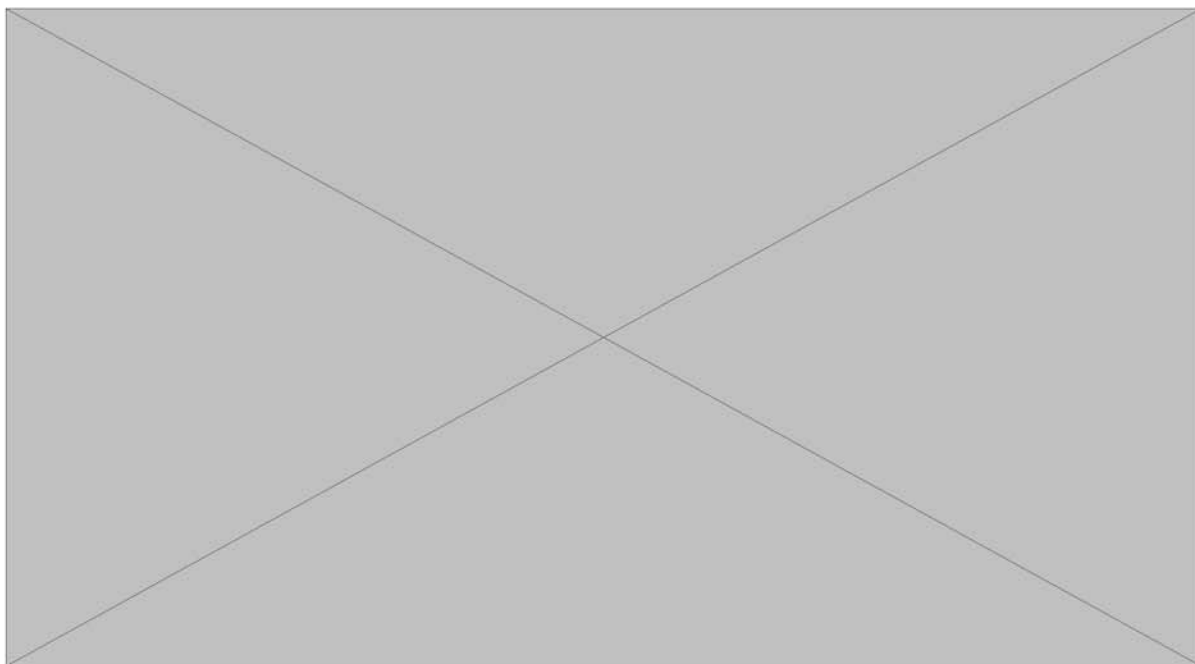


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From: Camden Tradeshow & Event Furnishings
Sent: Wed 11/16/2016 10:01:11 PM
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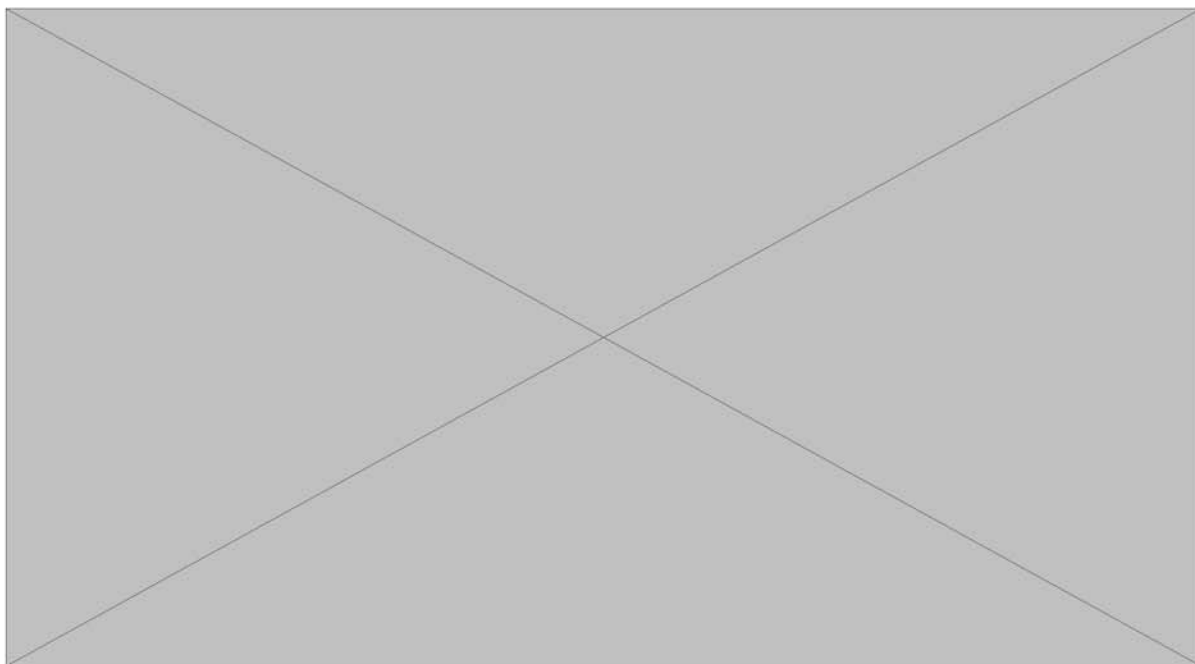


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To: (b) (6)
From: Turk, Ronald B.
Sent: Wed 11/16/2016 6:26:27 PM
Subject: RE: Hearing Protection Act

Thanks

From: (b) (6)
Sent: Wednesday, November 16, 2016 12:41 PM
To: Turk, Ronald B. (b) (6)
Subject: Fwd: Hearing Protection Act

FYI

Subject: Fwd: Hearing Protection Act

SilencerCo's CEO and founder, Joshua Waldron, has been named to President-elect Trump's Second Amendment Coalition of advisors on gun policy.

Interesting.

--

Adam P. Rogers

Director, Industry Operations

Louisville Field Division

Begin forwarded message:

Guns.com

Nov. 16, 2016

Homemade suppressors possible with Hearing Protection Act?

by Chris Eger

With the possible removal of silencers/suppressors from National Firearms Act control, a number of legal questions around the devices emerge.

The current mechanism for change, H.R.3799 — the Hearing Protection Act — is stuck in the U.S. House but would likely see a stronger reboot in the next Congress in 2017. If a new bill gains enough momentum to make it through Capitol Hill and onto the waiting desk of President Trump, it would leave a few things undecided if signed into law with its current language.

Today, some 42 states have legalized suppressor ownership for civilians, several within just the past few years. As the HPA simply removes the items from the purview of the NFA, the states that ban them now can continue to ban them into the future. On the other hand, states that currently allow ownership could move to restrict it should the items no longer be shackled with requirements for tax stamps, registration and extensive waiting periods caused by paperwork.

“It’s no different than the states that prohibit the sale of machine guns or even certain Title I firearms,” Adam Kraut, an attorney specializing in Second Amendment rights with the Firearms Industry Consulting Group, told Guns.com.

While on the outset this fact would seem to hurt the legislation, it largely removes much of the steam from anti-gun lawmakers hailing from states that currently ban suppressors such as California and Illinois and insulates them from a backlash by their local constituents should they not be able to stop it. Subsequent measures at the state level could later add those outlier states to the 42.

One big change the HPA may allow would be that an individual could manufacture a silencer at home for personal use without a Bureau of Alcohol, Tobacco, Firearms and Explosives’ Form 1, provided they lived in a state that allowed them and no law prohibited the maker’s possession of a firearm.

Kraut points out that the current law on making NFA firearms only applies to the NFA’s own definition of a firearm.

“Since a silencer is no longer a firearm under the NFA, if this were to pass, it would no longer apply,” he explained.

One lingering throwback to the NFA, even if suppressors were deregulated, would be the current nearly 900,000 legal suppressors already listed in the National Firearms Registration and Transfer Record (NFRTR). This record, Kraut contends, could be frozen in time if the bill isn’t tweaked.

"I'd imagine the NFRTR would remain intact with regard to silencers and the last stop for them, as far as who they were registered to, is where it will remain," he said. "The bill has no provision for removing them from the NFRTR. It simply has a provision that states anyone possessing a silencer in accordance with Chapter 44 of Title 18 (the GCA) shall be treated as meeting any registration and licensing requirements of the NFA (which were in effect prior to this bill being enacted) with respect to the silencer.

"Simply put, it appears that if you comply with the GCA (background check, etc.) you are good to go. It does not provide for the update of the NFRTR."

What about the fees already paid in for tax stamps since the bill's introduction? On that topic, backers of the legislation are clear.

"The Hearing Protection Act also includes a provision for all people who purchase a silencer between the time the bill is introduced until the day it passes – should you purchase a silencer during that time, you will receive a \$200 tax credit to cover the cost of any new silencer tax stamps you pay for," notes a page on the measure maintained by SilencerCo.

It should be noted that SilencerCo's CEO and founder, Joshua Waldron, has been named to President-elect Trump's Second Amendment Coalition of advisors on gun policy.

To: Turk, Ronald B (b) (6)
From: (b) (6)
Sent: Wed 11/16/2016 5:41:02 PM
Subject: Fwd: Hearing Protection Act

FYI

Subject: Fwd: Hearing Protection Act

SilencerCo's CEO and founder, Joshua Waldron, has been named to President-elect Trump's Second Amendment Coalition of advisors on gun policy.

Interesting.

--

Adam P. Rogers
Director, Industry Operations
Louisville Field Division

Begin forwarded message:

Guns.com

Nov. 16, 2016

Homemade suppressors possible with Hearing Protection Act?

by Chris Eger

With the possible removal of silencers/suppressors from National Firearms Act control, a number of legal questions around the devices emerge.

The current mechanism for change, H.R.3799 — the Hearing Protection Act — is stuck in the U.S. House but would likely see a stronger reboot in the next Congress in 2017. If a new bill gains enough momentum to make it through Capitol Hill and onto the waiting desk of President Trump, it would leave a few things undecided if signed into law with its current language.

Today, some 42 states have legalized suppressor ownership for civilians, several within just the past few years. As the HPA simply removes the items from the purview of the NFA, the states that ban them now can continue to ban them into the future. On the other hand, states that currently allow ownership could move to restrict it should the items no longer be shackled with requirements for tax stamps, registration and extensive waiting periods caused by paperwork.

“It’s no different than the states that prohibit the sale of machine guns or even certain Title I firearms,” Adam Kraut, an attorney specializing in Second Amendment rights with the Firearms Industry Consulting Group, told Guns.com.

While on the outset this fact would seem to hurt the legislation, it largely removes much of the steam from anti-gun lawmakers hailing from states that currently ban suppressors such as California and Illinois and insulates them from a backlash by their local constituents should they not be able to stop it. Subsequent measures at the state level could later add those outlier states to the 42.

One big change the HPA may allow would be that an individual could manufacture a silencer at home for personal use without a Bureau of Alcohol, Tobacco, Firearms and Explosives’ Form 1, provided they lived in a state that allowed them and no law prohibited the maker’s possession of a firearm.

Kraut points out that the current law on making NFA firearms only applies to the NFA’s own definition of a firearm.

“Since a silencer is no longer a firearm under the NFA, if this were to pass, it would no longer apply,” he explained.

One lingering throwback to the NFA, even if suppressors were deregulated, would be the current nearly 900,000 legal suppressors already listed in the National Firearms Registration and Transfer Record (NFRTR). This record, Kraut contends, could be frozen in time if the bill isn’t tweaked.

“I’d imagine the NFRTR would remain intact with regard to silencers and the last stop for them, as far as who they were registered to, is where it will remain,” he said. “The bill has no provision for removing them from the NFRTR. It simply has a provision that states anyone possessing a silencer in accordance with Chapter 44 of Title 18 (the GCA) shall be treated as meeting any registration and licensing requirements of the NFA (which were in effect prior to this bill being enacted) with respect to the silencer.

“Simply put, it appears that if you comply with the GCA (background check, etc.) you are good to go. It does not provide for the update of the NFRTR.”

What about the fees already paid in for tax stamps since the bill’s introduction? On that topic, backers of the legislation are clear.

“The Hearing Protection Act also includes a provision for all people who purchase a silencer between the time the bill is introduced until the day it passes – should you purchase a silencer during that time, you will receive a \$200 tax credit to cover the cost of any new silencer tax stamps you pay for,” notes a page on the measure maintained by SilencerCo.

It should be noted that SilencerCo’s CEO and founder, Joshua Waldron, has

been named to President-elect Trump's Second Amendment Coalition of advisors on gun policy.

To: (b) (6)
From: Turk, Ronald B.
Sent: Tue 11/15/2016 6:20:24 PM
Subject: RE: Silencers

No problem (b) (6) thanks!

From: (b) (6)
Sent: Tuesday, November 15, 2016 1:19 PM
To: Turk, Ronald B. (b) (6)
Subject: RE: Silencers

Sir:

My apologies for the delay - I had a hard drive meltdown this morning.

Here is the data you requested

Silencer In Custody FY 2007 through FY 2016

Fiscal Year	Number of Silencers Taken Into ATF Custody	Number of Cases Initiated with Silencers in Custody	Count of Cases Recommended for Prosecution With a Silencer(s) in Custody and a Title 26 Violation Was Charged	Count of Defendants Recommended for Prosecution With a Silencer(s) in Custody and a Title 26 Violation Was Charged	Count of Cases Recommended for Prosecution With a Silencer in Custody	Count of Defendants Recommended for Prosecution In Cases With a Silencer in Custody
2007	391	151	40	50	125	355
2008	303	157	44	60	98	210
2009	389	145	33	44	93	179
2010	407	169	32	38	93	301
2011	369	156	35	47	97	493
2012	414	145	23	28	75	234
2013	556	178	31	39	90	238
2014	538	179	30	34	106	242
2015	742	256	38	41	114	256

2016	965	199	45	55	116	252
	5,074	1,735	351	436	1,007	2,76

The 436 defendants charged with NFA violations have the following distribution of criminal histories:

NO PRIOR RECORD	123
ONE PRIOR FELONY CONVICTION	34
PRIOR ARREST	249
TWO OR MORE FELONY CONVICTIONS	18
UNKNOWN	12
Grand Total	436

The distribution of charges recommended against the 436 defendants that were charged with an NFA violation is as follows (a defendant may be charged with more than one Title 26 offense)

Count of Title 26 Offenses Recommended for Prosecution FY 2007 - FY 2016		
Note: This data shows the distribution of only the Title 26 offenses recommended for prosecution against the 436 defendants identified above.		
Statute	Charge Desc	Count of Offenses Recommended
26 USC 5861	NFA violations	92
26 USC 5861(a)	Dealing in NFA firearms without having paid SOT	22
26 USC 5861(b)	Receive/possess NFA firearm transferred in violation of chapter	49
26 USC 5861(c)	Receive/possess NFA firearm made in violation	75
26 USC 5861(d)	Receive/possess NFA firearm not registered in NFRTR	702
26 USC 5861(e)	Transfer a NFA firearm in violation	90

26 USC 5861(f)	Manufacturing NFA weapon without paying special occupational tax	117
26 USC 5861(g)	Obliterate/remove/change/alter serial number of NFA firearm	6
26 USC 5861(h)	Receive/possess NFA firearm without serial number obliterated/alterd	27
26 USC 5861(i)	Receive/possess NFA firearm not identified by serial number	122
26 USC 5861(j)	Transport/deliver/receive NFA firearm in interstate commerce which had not been registered	20
26 USC 5861(k)	Receive/possess NFA firearm imported in violation	6
Grand Total		1,328

The related criminal conduct in cases where a silencer was taken into custody is demonstrated by the distribution of the top 20 offenses recommended for prosecution:

Top 20 Charges Recommended for Prosecution in Cases Where a Silencer Was Taken Into Custody		
Note: This data shows the distribution of the top 20 offenses recommended for prosecution in cases where a silencer was taken into custody.		
Statute	Charge Desc	Count of Offenses Recommended
26 USC 5861(d)	Receive/possess NFA firearm not registered in NFRTR	702
21 USC 841(a)(1)	Mfg., distribute, or possess controlled substance	663
18 USC 922(g)(1)	Possession of firearm/ammunition by	597

	convicted felon	
21 USC 846	Drug Conspiracy	584
18 USC 924(c)	Use of firearm in Federal drug/violent crime	305
NARCOTICS (FEDERAL OR STATE)	Narcotics (Federal or State)	301
18 USC 371	Conspiracy to commit offense against U.S.	219
RICO	RICO	194
18 USC 922(o)	Possess/transfer machinegun unlawfully	176
18 USC 922(a)(1)(A)	Dealing firearms without license	158
FIREARMS OTHER	Firearms Other	146
26 USC 5861(i)	Receive/possess NFA firearm not identified by serial number	122
26 USC 5861(f)	Manufacturing NFA weapon without paying special occupational tax	117
18 USC 922(j)	Possession of stolen firearm	111
OTHER GENERAL CHARGES	Other General Charges	111
18 USC 922(g)(3)	Possession of firearm by drug user	100
26 USC 5861	NFA violations	92
26 USC 5861(e)	Transfer a NFA firearm in violation	90
18 USC 922(d)(1)	Sale of firearms to felon or person under indictment	77

26 USC 5861(c)	Receive/possess NFA firearm made in violation	75
Grand Total		4,940

Let me know if you need anything else.

(b) (6)

Chief, Office of Strategic Management

O: 202-648(b) (6)

C: (b) (6)

ATF HQ Room 5 E 407

-----Original Message-----

From: Turk, Ronald B.

Sent: Tuesday, November 15, 2016 8:18 AM

To: (b) (6)

Subject: Silencers

Hi (b) (6) Can you query NFORCE to see how many silencers were seized in past 10 yrs; how many investigations we have opened in past 10 years; and how many defendants were recommended for prosecution for silencer violations?

Ron

To: Turk, Ronald B. (b) (6)
From: (b) (6)
Sent: Tue 11/15/2016 6:18:42 PM
Subject: RE: Silencers

Sir:

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Grand Total		4,940

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(b) (6)

Chief, Office of Strategic Management

O: 202-648-(b) (6)

C: (b) (6)

ATF HQ Room 5 E 407

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Sent: Tuesday, November 15, 2016 8:18 AM

To: (b) (6)

Subject: Silencers

Hi (b) (6) Can you query NFORCE to see how many silencers were seized in past 10 yrs; how many investigations we have opened in past 10 years; and how many defendants were recommended for prosecution for silencer violations?

Ron

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Tue 11/15/2016 3:40:20 PM
Subject: RE: Five Fast Gun Reforms President Trump Will Sign Into Law

Marvin, can EPS provide me with details on the importation issues regarding M1s, 1911 etc. - do we have a standing PB on them that includes who has the authority for importation approval?

Ron

-----Original Message-----

From: Richardson, Marvin G.
Sent: Tuesday, November 15, 2016 9:21 AM
To: Brandon, Thomas E. (b) (6); Turk, Ronald B. (b) (6); Shaefer, Christopher C. (b) (6); Gleysteen, Michael (b) (6)
Cc: Allen, Joseph J. (b) (6)
Subject: FW: Five Fast Gun Reforms President Trump Will Sign Into Law

Another interesting article. Not necessarily new news but important for us to consider now that it is more likely. Of particular interest are the Hearing Protection Act which could have a huge impact on NFA processing; the Collectable Firearms Protection Act would impact our import licenses and permits and National Concealed Carry Reciprocity which comes with its own challenges. Not so sure about the implementation time frames. There are a lot bigger fish to fry.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services Office (202) 648-(b) (6) Cell (b) (6) Leaders don't do what they want to do, they do what is right".

-----Original Message-----

From: (b) (6)
Sent: Tuesday, November 15, 2016 8:50 AM
To: (b) (6); Gilbert, Curtis W. (b) (6); Richardson, Marvin G. (b) (6)
Subject: Five Fast Gun Reforms President Trump Will Sign Into Law

<http://bearingarms.com/bob-o/2016/11/09/five-fast-gun-law-reforms-president-trump-will-make/>

To: Richardson, Marvin G. (b) (6)
From: Turk, Ronald B.
Sent: Tue 11/15/2016 2:23:52 PM
Subject: RE: Five Fast Gun Reforms President Trump Will Sign Into Law

10-4

-----Original Message-----

From: Richardson, Marvin G.
Sent: Tuesday, November 15, 2016 9:21 AM
To: Brandon, Thomas E. (b) (6); Turk, Ronald B. (b) (6); Shaefer, Christopher C. (b) (6); Gleysteen, Michael (b) (6)
Cc: Allen, Joseph J. (b) (6)
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To: (b) (6); Gilbert, Curtis W. (b) (6); Richardson, Marvin G. (b) (6)
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To: Richardson, Marvin G. (b) (6)
Cc: Turk, Ronald E. (b) (6); Shaeter, Christopher C. (b) (6)
Gleysteen, Michael (b) (6); Allen, Joseph J. (b) (6)
From: Brandon, Thomas E.
Sent: Tue 11/15/2016 2:21:50 PM
Subject: Re: Five Fast Gun Reforms President Trump Will Sign Into Law

Thanks, Marvin

Sent from my iPad

> On Nov 15, 2016, at 9:20 AM, Richardson, Marvin G. <Marvin.Richardson@atf.gov> wrote:

>

> Another interesting article. Not necessarily new news but important for us to consider now that it is more likely. Of particular interest are the Hearing Protection Act which could have a huge impact on NFA processing; the Collectable Firearms Protection Act would impact our import licenses and permits and National Concealed Carry Reciprocity which comes with its own challenges. Not so sure about the implementation time frames. There are a lot bigger fish to fry.

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> Marvin G. Richardson
> Assistant Director
> Bureau of ATF, Enforcement Programs & Services
> Office (202) 648-(b) (6)
> Cell (b) (6)

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> From: (b) (6)

> Sent: Tuesday, November 15, 2016 8:50 AM

> To: (b) (6); Gilbert, Curtis W. (b) (6); Richardson, Marvin G. (b) (6)

> Subject: Five Fast Gun Reforms President Trump Will Sign Into Law

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To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6) Shaefer, Christopher C. (b) (6) Gleysteen, Michael (b) (6)
Cc: Allen, Joseph J. (b) (6)
From: Richardson, Marvin G.
Sent: Tue 11/15/2016 2:20:36 PM
Subject: FW: Five Fast Gun Reforms President Trump Will Sign Into Law

Another interesting article. Not necessarily new news but important for us to consider now that it is more likely. Of particular interest are the Hearing Protection Act which could have a huge impact on NFA processing; the Collectable Firearms Protection Act would impact our import licenses and permits and National Concealed Carry Reciprocity which comes with its own challenges. Not so sure about the implementation time frames. There are a lot bigger fish to fry.

Marvin G. Richardson
Assistant Director
Bureau of ATF, Enforcement Programs & Services
Office (202) 648- (b) (6)
Cell (b) (6)

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To: (b) (6) Gilbert, Curtis W. (b) (6) Richardson, Marvin G. (b) (6)
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To: (b) (6)
From: Turk, Ronald B.
Sent: Tue 11/15/2016 1:19:39 PM
Subject: Re: Silencers

Thanks (b) (6)

> On Nov 15, 2016, at 8:19 AM, (b) (6) wrote:

>

> On it.

>

> (b) (6)

> Chief, Office of Strategic Management

> O: 202-648-(b) (6)

> C: (b) (6)

> ATF HQ Room 5E407

>

>> On Nov 15, 2016, at 8:18 AM, Turk, Ronald B. (b) (6) wrote:

>>

>> Hi (b) (6) Can you query NFORCE to see how many silencers were seized in past 10 yrs; how many investigations we have opened in past 10 years; and how many defendants were recommended for prosecution for silencer violations?

>>

>> Ron

To: Turk, Ronald B. (b) (6)
From: (b) (6)
Sent: Tue 11/15/2016 1:19:09 PM
Subject: Re: Silencers

On it.

(b) (6)

Chief, Office of Strategic Management
O: 202-648-(b) (6)
C: (b) (6)
ATF HQ Room 5E407

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> Ron

To: (b) (6)
From: Turk, Ronald B.
Sent: Tue 11/15/2016 1:18:08 PM
Subject: Silencers

Hi (b) (6) Can you query NFORCE to see how many silencers were seized in past 10 yrs; how many investigations we have opened in past 10 years; and how many defendants were recommended for prosecution for silencer violations?

Ron

To: Allen, Joseph J (b) (6)
Cc: Turk, Ronald B (b) (6)
From: Brandon, Thomas E.
Sent: Mon 11/14/2016 1:55:27 PM
Subject: NSSF Meeting

Joe, Did we lockdown 12/5 for our meeting with NSSF? Thanks, Tom

Sent from my iPad

To: Brandon, Thomas E. (b) (6) Turk, Ronald B. (b) (6) Allen,
Joseph J. (b) (6)
Cc: Bennett, Megan A. (b) (6)
From: Shaefer, Christopher C.
Sent: Fri 11/11/2016 12:28:31 PM
Subject: Daily Beast Blog

From today's Google news:

[The NRA's Big Gun in the White House](#)

Daily Beast

... are "more restrictive riders on [**Bureau of Alcohol, Tobacco, Firearms & Explosives**] ATF appropriations bills, such as the frequency with which they ...

-Chris

Regards,

Christopher Shaefer | ATF Assistant Director

Public and Governmental Affairs | O: [202.648.6484](tel:202.648.6484) (b) (6) | C: (b) (6)



ATF

Bureau of Alcohol, Tobacco, Firearms, and Explosives
Legislative Affairs Division



SUMMARY OF THE 2016 ELECTIONS

WHAT HAPPENED

- **President-elect Donald Trump**
- **Vice President-elect Mike Pence**
- **Senate Majority—GOP**
(One Senate race remains undecided. LA heads to the December 10 run-off election with the GOP candidate expected to win.)
- **House Majority—GOP**
(Four House races have not been called—2 in CA and 2 in LA). In the two LA races, the GOP candidate is expected to win in the December 10 run-off election. One race in CA is too close to call and leaning Democratic and the remaining race is too close to call and leaning GOP.)

THE NUMBERS (pending the remaining races)

- | | |
|------------------------------------|-------------------------------------|
| • House (435); GOP Majority | • Senate (100); GOP Majority |
| GOP 238 | GOP 51 |
| DEM 193 | DEM 48 |

LEADERSHIP ELECTIONS

- | | |
|--|--|
| • House | • Senate |
| Speaker—Paul Ryan (R-WI) | Majority Leader—Mitch McConnell (R-KY) |
| Majority Leader—Kevin McCarthy (R-CA) | Majority Whip—John Cornyn (R-TX) |
| Majority Whip—Steve Scalise (R-LA) | Minority Leader—Chuck Schumer (D-NY) |
| Minority Leader—Nancy Pelosi (D-CA) | Minority Whip—TBD |
| Minority Whip—Steny Hoyer (D-MD) | (Dick Durbin (D-IL) and Patty Murray (D-WA) are leading candidates) |

ANTICIPATED ATF ISSUES (Appropriations riders and Authorizing legislation)

- Nomination and confirmation of an ATF Director
- Restricting ATF's use of Demand Letters/Multiple Sales reporting
- Requiring ATF to retain control over firearms used in undercover ops (so-called FNF restriction)
- Removing the restriction prohibiting relief of firearms disabilities investigations
- Removing silencers and suppressors from the NFA
- Using Budget Reconciliation to enact legislative priorities (Cannot be filibustered thereby lowering the vote threshold to simple majority (50% + 1) from 60 votes. Used as a work around in the Senate.)

Passing Veterans 2nd Amendment Protection Act

From: (b) (6)
Location: DCR 5S.105
Importance: Normal
Subject: Meeting with NSSF regarding FFL Burglaries
Start Date/Time: Tue 12/5/2017 7:00:00 PM
End Date/Time: Tue 12/5/2017 8:00:00 PM

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 10/31/2017 7:12:41 PM
Subject: Read: FW: SHARE Act could drop suppressor deregulation, target bump stocks

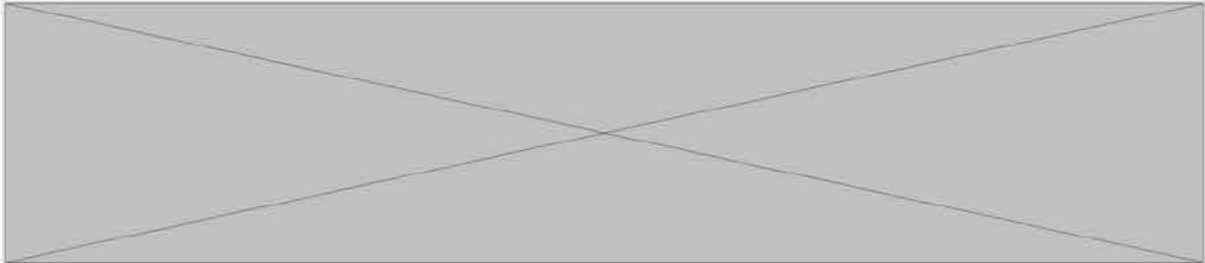
To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 10/31/2017 7:10:53 PM
Subject: Read: FW: New Bump Stock Bill

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 10/31/2017 1:50:51 PM
Subject: Read: NRA's newest bogeyman: parents who call for gun-free Halloween costumes

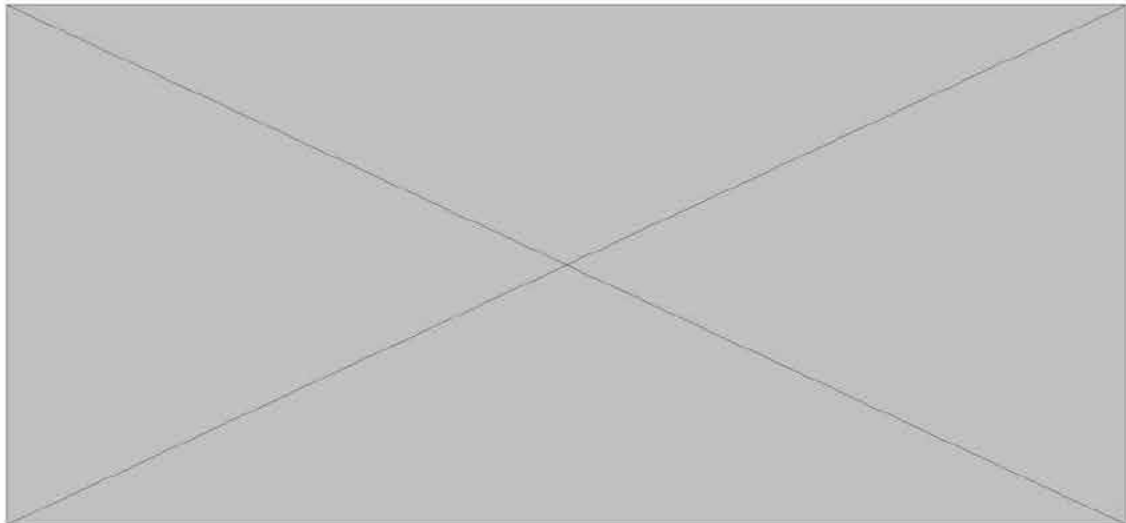
To: Brandon, Thomas E. (b) (6)
From: SHOT Show
Sent: Thur 12/1/2016 2:12:02 PM
Subject: Collaborate with other agencies at the SHOT Show

Don't miss this networking event!

Email not displaying correctly?
[View it in your browser.](#)



A Tactical Advantage of Attending SHOT Show



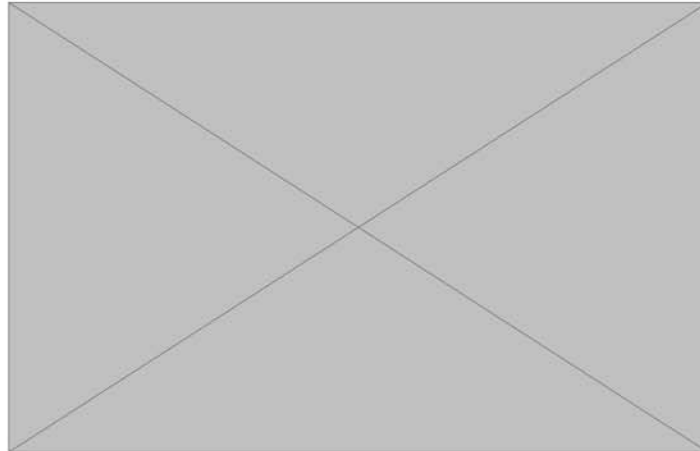
Dear Thomas,

Network with more than 4,000 law enforcement professionals when you attend the 2017 SHOT Show. Find out how other teams and communities are addressing today's hostile landscape while incorporating less lethal force options, and discuss in-field and active shooter challenges along with new training practices. It's your opportunity to network with other agencies and personnel, learn how they are combating current threat scenarios, and return home to brief your team on lessons learned.

No other event gives you access to such a diversified group of professionals and agencies.

WE MAKE IT EASY TO GET A JUMPSTART ON MEETING OTHER AGENCIES! Join us Monday evening, January 16, for a Kickoff Meet & Greet exclusively for armed forces and law enforcement attendees. Build connections, ask questions and share experiences. It's free for any registered 2017 law

enforcement or armed forces attendees and exhibitors.



The time to register for the 2017 SHOT Show is now.

The SHOT Show is a trade-only event. Professional affiliation is required.

REGISTER TODAY

SHOT Show • 11 Mile Hill Road • Newtown, CT 06470-2359



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National Shooting Sports Foundation

11 Mile Hill Road

Newtown, CT 06470

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To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Thur 3/23/2017 2:15:05 PM
Subject: UPDATE: Man facing burglary charges after dozens of handguns taken from Athens pawn shop | Appnews | waaytv.com

More good stuff.

http://m.waaytv.com/appnews/update-man-facing-burglary-charges-after-dozens-of-handguns-taken/article_05703180-0d8d-11e7-9354-ffe80c86be29.html

Sent from my iPhone

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Tue 3/21/2017 2:58:03 PM
Subject: 3 men charged with burglaries at Va. gun stores - Story | WTTG

FYSA

<http://www.fox5dc.com/news/local-news/242767783-story>

Sent from my iPad

Pages 4873 – 4874

Pulled for additional review

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Wed 3/15/2017 9:22:39 AM
Subject: ATF: NC, SC Lead Country in Guns Stolen From Dealers | WFMYNEWS2.com

Larry, the data we pushed last week is having a public safety benefit for industry and LE. Have a nice day, Tom

<http://www.wfmynews2.com/news/local/atf-nc-sc-lead-country-in-guns-stolen-from-dealers/422576149>

Sent from my iPad

To: Brandon, Thomas E. (b) (6)
Cc: (b) (6)
From: Richardson, Marvin G.
Sent: Sun 3/12/2017 3:44:01 PM
Subject: Re: Thank You

(b) (6)

You are most welcome.

Talk soon!

Marvin G. Richardson
Assistant Director, ATF

On Mar 12, 2017, at 11:35 AM, Brandon, Thomas E. (b) (6) wrote:

(b) (6)

It was all my pleasure. Have a peaceful Sunday.

Tom

Sent from my iPad

On Mar 12, 2017, at 11:31 AM, (b) (6) wrote:

Tom and Marvin,
Thank you very much for spending time with our team on Friday.

And Tom, it was a true pleasure meeting you.

Thanks again,

(b) (6)

(b) (6) CEO, Orchid Advisors
CPIM, CMA, PMP, CIA
The Firearm Industry's Trusted Compliance & Operations Experts
40 West Hills Drive
Avon, CT 06001
(b) (6) (Office Phone)
800.507.4409 (Fax)
Only Firm Endorsed by
NSSF and NASGW

To: (b) (6)
Cc: Richardson, Marvin G. (b) (6)
From: Brandon, Thomas E.
Sent: Sun 3/12/2017 3:35:48 PM
Subject: Re: Thank You

(b) (6)

It was all my pleasure. Have a peaceful Sunday.

Tom

Sent from my iPad

On Mar 12, 2017, at 11:31 AM, (b) (6) wrote:

Tom and Marvin,
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And Tom, it was a true pleasure meeting you.

Thanks again,

(b) (6)

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40 West Hills Drive
Avon, CT 06001
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Only Firm Endorsed by
NSSF and NASGW

To: Brandon, Thomas E. (b) (6) Richardson, Marvin G. (b) (6)
From: (b) (6)
Sent: Sun 3/12/2017 3:35:56 PM
Subject: Thank You

Tom and Marvin,
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Thanks again,

(b) (6)

(b) (6) CEO, Orchid Advisors

CPIM, CMA, PMP, CIA

The Firearm Industry's Trusted Compliance & Operations Experts

40 West Hills Drive

Avon, CT 06001

(b) (6) (Office Phone)

800.507.4409 (Fax)

Only Firm Endorsed by

NSSF and NASGW

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Thur 3/9/2017 9:47:56 PM
Subject: Re: Don't Lie for the Other Guy

10-4, Larry

Sent from my iPad

On Mar 9, 2017, at 4:30 PM, Larry Keane <(b) (6)> wrote:

I always try to remind myself they're speeches for the cameras in the form of a question!

From: Thomas.E.Brandon (b) (6)
Sent: Thursday, March 09, 2017 4:28 PM
To: Larry Keane
Subject: Re: Don't Lie for the Other Guy

10-4, Larry. Sounds like a great idea. I would be lying if I didn't admit that I'm glad today is over.
Have a nice evening, Tom

Sent from my iPad

On Mar 9, 2017, at 4:25 PM, Larry Keane <(b) (6)> wrote:

Tom,

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We are shopping the penalty enhancement bill. I'll send you the draft language when we have it. The bill would be part of the campaign.

Never fun having to give testimony and get grilled!

Lawrence Keane
Senior Vice President for Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW

Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

<image001.jpg>

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From: Larry Keane
Sent: Thur 3/9/2017 9:31:31 PM
Subject: RE: Don't Lie for the Other Guy

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To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Thur 3/9/2017 9:28:02 PM
Subject: Re: Don't Lie for the Other Guy

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*NSSF is the trade association for America's firearms industry.
Our mission: To promote, protect and preserve hunting and
the shooting sports*

Pages 4887 – 4888

Pulled for additional review

To: Brandon, Thomas E. (b) (6)
From: Larry Keane
Sent: Thur 3/9/2017 8:57:02 PM
Subject: Don't Lie for the Other Guy

Tom,

Thank you for your kind words about FFLs and in particular our Don't Lie for the Other Guy campaign. It's never fun having to give testimony. We are working toward an anti-burglary/robbery theft prevention/awareness campaign. I'll give you a call as soon as we have it mocked up and ready to present. We would love to have ATF as a partner in the effort, like Don't Lie. We believe the partnership would help send a strong message to the retailer community. And, like Don't Lie we wouldn't see this having an impact on your budget. We would pull together many things we are already doing, plus some new ideas, under the umbrella of a campaign – catchy name to be determined.

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National Shooting Sports Foundation

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(b) (6)

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*NSSF is the trade association for America's firearms industry.
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the shooting sports*

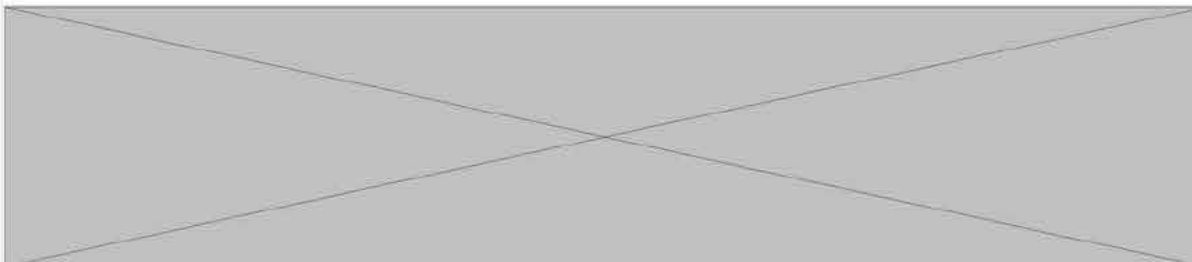
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To: Brandon, Thomas E. (b) (6)
From: SHOT Show
Sent: Wed 12/28/2016 3:33:02 PM
Subject: 2017 SHOT Show Trackers Packed With Detail

Register before it's too late!

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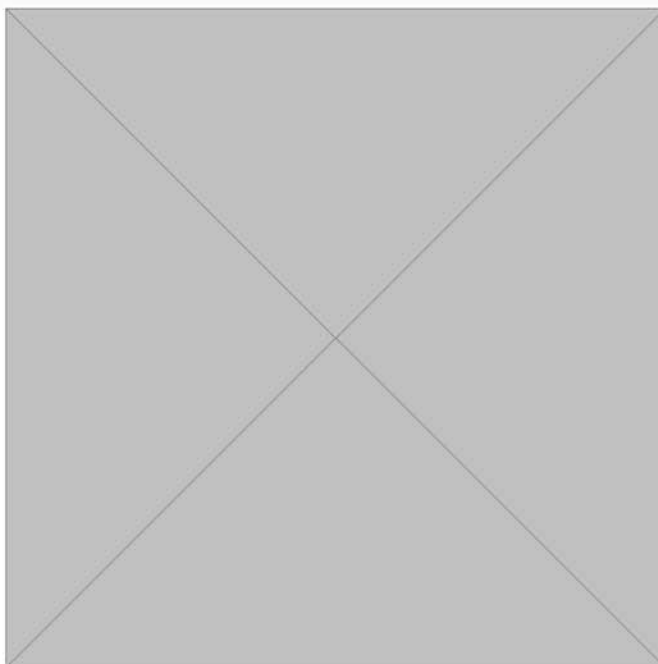


IT'S NOT TOO LATE

Dear Thomas,

The industry is gathering in masses for this year's SHOT Show, and we don't want you to miss out on any opportunity to do business, build relationships and see where the industry is heading in the coming year. Take a quick look at what's in store for the 2017 SHOT Show when you [view our new digital Tracker](#), now in a more mobile-friendly format.

On your desktop, a phone or tablet, view networking details, seminar information, exhibitor list, floor plan, travel deals and more. See why you should be at the 2017 SHOT Show. Some events and training opportunities will sell-out in the next couple of weeks, so plan now to join us, and [register for the show!](#)



The SHOT Show is a trade-only event, and requires proof of professional affiliation.

REGISTER TODAY

SHOT Show • 11 Mile Hill Road • Newtown, CT 06470-2359



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National Shooting Sports Foundation

11 Mile Hill Road

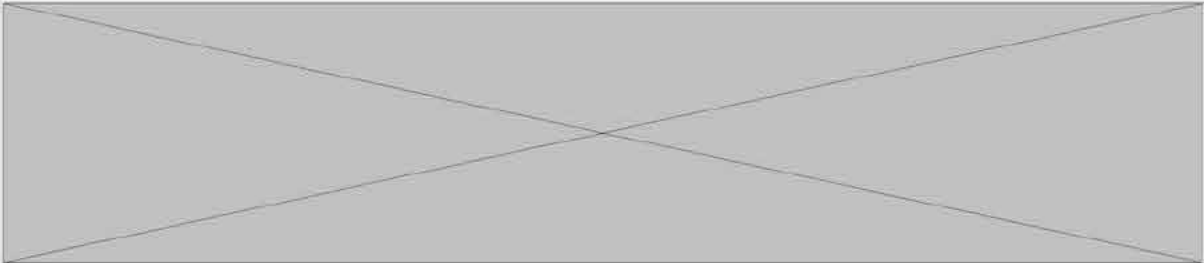
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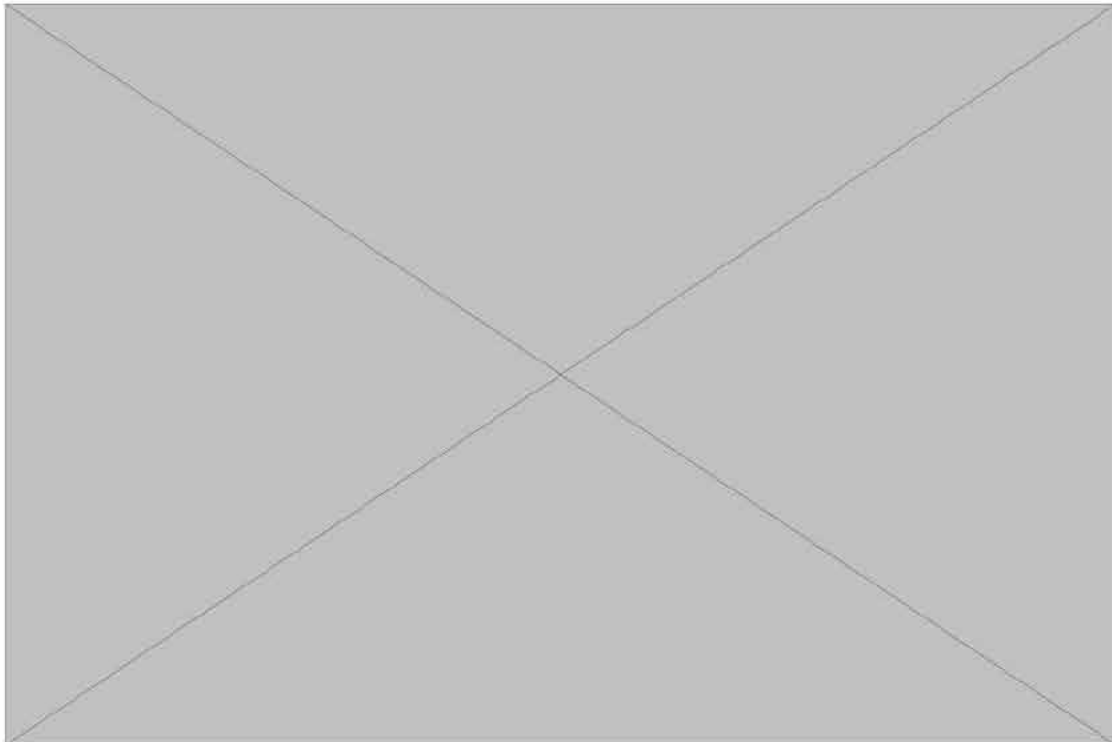
To: Brandon, Thomas E. (b) (6)
From: SHOT Show
Sent: Wed 1/4/2017 3:33:50 PM
Subject: 2017 SHOT Show: Final Reminder

Last chance to register! 13 days left.

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[View it in your browser.](#)



13 DAYS LEFT 'TIL DOORS OPEN



Dear Thomas,

HAPPY NEW YEAR! We hope you enjoyed the holidays and are looking forward to shaping a safe and successful 2017 for your team. What better way to gain insights on the newest products and equipment and latest training than attending the upcoming 2017 SHOT Show? It's only 13 days away, and it's packed with reasons to join us:

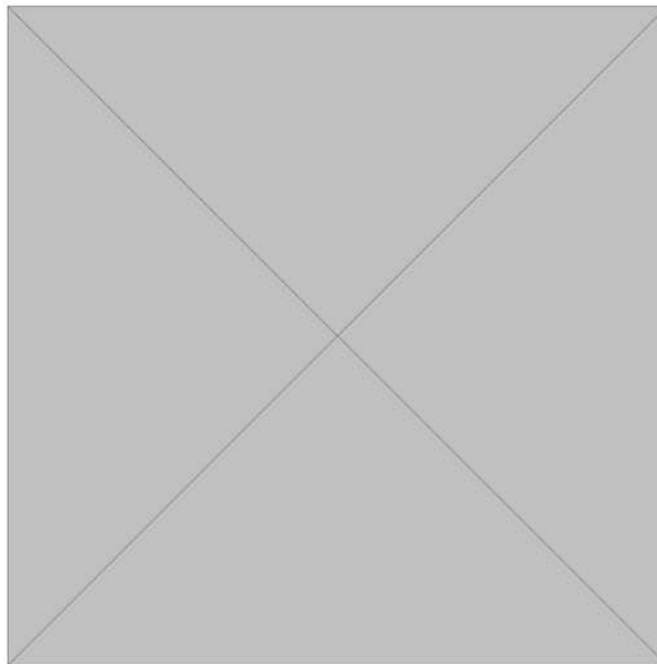
1,600 EXHIBITS – No other event gives you access to such an enormous collection of the coolest

products and performance-based equipment available to retailers and law enforcement today. The SHOT Show has more than 400 products as part of the New Product Center and more than 100 new exhibits as part of the [NEXT Pavilion](#) on display.

DEDICATED TRAINING FOR MANAGEMENT, RETAILERS, AND LAW ENFORCEMENT – Up and coming managers and current leadership have access to an all new [Executive Management Seminar](#), including topics like voice of the customer, managing multiple generations, and dominating your marketplace. Retailers can learn more about understanding customer segments, hear from a firearms attorney specialist, leverage technology trends, and more through [Retailer Seminars](#). Law enforcement agencies can gain a better understanding of big issues such as active shooters or learn more in-depth uses for specialty products like night vision through the [Law Enforcement Education Program](#). There are insights to be gained for any professional attending the SHOT Show.

NETWORKING OPPORTUNITIES EVERYWHERE YOU LOOK – The [NSSF/HAVA Golf Classic](#), a law enforcement meet & greet event, the [State of the Industry](#), an NSSF membership reception, and industry professionals filling the Sands Expo and Las Vegas Strip means you won't have to look far to make valuable new connections for your business or agency.

How do you prioritize your time at the show? If you haven't already seen them, the 2017 Trackers provide in-depth details about many of the features of this year's show. A digital copy is [available for viewing](#) on a desktop or mobile device. Just click the icon for a full screen view.



If you still haven't registered for the SHOT Show, your time is running out! [Plan now to join us!](#)

The SHOT Show is a trade-only event, and requires proof of professional affiliation.

REGISTER TODAY

SHOT Show • 11 Mile Hill Road • Newtown, CT 06470-2359



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National Shooting Sports Foundation

11 Mile Hill Road

Newtown, CT 06470

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To: Brandon, Thomas E. (b) (6)
From: (b) (6)
Sent: Thur 1/12/2017 1:34:50 PM
Subject: NSSF Shot Show 2017 Attendees list

Hi,

This is an outstanding offer for the National Shooting Sports Foundation 2017 exhibitors!!

I am writing to check if you would be interested in acquiring the list of attendees for your marketing and sales initiatives.

This is an opportunity to acquire list of 15,147 attendees contact details for a robust marketing campaign which will eventually help you convert the compiled leads in to phenomenal sales deal.

You will receive the file for permanent usage where you can use this list for multiple campaigns. Please find below mentioned data fields for your review.

Company Name, Company URL, Contact Name, Title, Phone number, Fax Number, Email Address, Company Address, Industry type, SIC Code, and Social Media Link.

Please revert with your interest to get you connected with our Business Development Manager, who will send out the counts, pricing and samples for your review.

Best Regards,

(b) (6)
Marketing and Communications
Global EXPO LIST

To: Shaefer, Christopher C (b) (6)
From: Turk, Ronald B.
Sent: Thur 10/5/2017 6:53:11 PM
Subject: Read: Tweet by Lois Beckett on Twitter - NRA Statement

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Tue 10/3/2017 1:17:01 PM
Subject: Read: FW: Apparent photos of weapons, shows bump stock

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Wed 9/20/2017 8:14:32 PM
Subject: Read: RE: (OLA WF 116120) LRM [WT-115-75] OMB Request for Views on HR3668 SHARE Act Sportsmen's Heritage And Recreational Enhancement Act

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Wed 2/22/2017 3:21:59 PM
Subject: Re: Arrests made

Thank you. Truly tragic!

Sent from my iPad

> On Feb 22, 2017, at 10:20 AM, Larry Keane (b) (6) wrote:

>

> Second story about the 2 yrs is awful. It is just incomprehensible someone could leave a loaded gun around w/ kids I've alerted our Project ChildSafe team to reach out and offer PCS to the local PD.

>

> -----Original Message-----

> From: Thomas.E.Brandon (b) (6)

> Sent: Wednesday, February 22, 2017 10:18 AM

> To: Larry Keane

> Subject: Re: Arrests made

>

> 10-4

>

> Sent from my iPad

>

>> On Feb 22, 2017, at 10:17 AM, Larry Keane (b) (6) wrote:

>>

>> Good news! If guilty, I hope they spend the rest of their lives locked up!

>>

>> -----Original Message-----

>> From: Thomas.E.Brandon (b) (6)

>> Sent: Wednesday, February 22, 2017 10:11 AM

>> To: Larry Keane

>> Subject: Arrests made

>>

>> Larry, FYSA.

>>

>>

>> <http://usgso2.cdn.tveyes.com/mediacat/temp/179124e0169331935ba20e2b9f43b5f4.mp4?start=2&end=616>

>>

>>

>> Sent from my iPad

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Wed 9/20/2017 7:49:03 PM
Subject: Read: RE: (OLA WF 116120) LRM [WT-115-75] OMB Request for Views on HR3668 SHARE Act Sportsmen's Heritage And Recreational Enhancement Act

From: atf-family@googlegroups.com
Sent: Tue 2/7/2017 9:50:36 PM
Subject: [ATF Family News Updates] (2017 - #33) Greetings///ATF///Policing///Politics///General interest///Military///Terrorism///Words/history
[Marist College Graduate Open House March 4th.eml](#)
[Fwd Senior Exam.eml](#)

ITEM 1. Greetings. Aristotle, "It is the mark of an educated mind to be able to entertain a thought without accepting it."

In keeping with and further pursuing our long-term tradition, begun yesterday, of providing a bit of trivia and/or historical trivia on occasion, here are 119 amazing facts from National Trivia Day (1/04/2012). As Lewis Grizzard and Dave Barry have said: pay attrition; consuntrate; und thimk. Pay close attention to what is said. Pay closer attention to what isn't.

<http://mentalfloss.com/article/29639/119-amazing-facts-national-trivia-day>

Here are some classics; the first from Dave Barry, the next three from Lewis Grizzard.

<https://bussorah.wordpress.com/2011/03/01/dave-barrys-colonoscopy/>

https://www.youtube.com/watch?v=rt_pKe_5giw

https://www.youtube.com/watch?v=jxC_FXMiJJo

https://www.youtube.com/watch?v=VyunS3T5_Ew

ITEM 2. ATF. Daniel Webster, "The world is governed more by appearances than realities, so that it is fully as necessary to seem to know something as to know it."

While the below suggestion is admirable and commendable, I don't know who the anonymous donor is; I don't know that the anonymous donor is a 'him'; I can't speak to his or her willingness; I don't think it appropriate to attempt to determine the identity of someone who wants to remain anonymous; and I don't presume to pretend that pursuing donations for someone who wants to remain anonymous is precisely the right thing to do; but I am merely the intermediary, so: (b) (6) (b) (6) made this suggestion with regard to the GoFundMe initiative for (b) (6) DONOR HASN'T BEEN IDENTIFIED AND THERE HAS BEEN NO EFFORT TO RAISE FUNDS FOR HIS BENIFIT. PLEASE PROVIDE THAT INFORMATION IF HE IS WILLING !!"

From (b) (6) a brief discussion of the 'white paper' from the deputy director, said paper coincidentally dated 1/20/17. If I was to be critical, or irreverent, or sarcastic, which I would never do, I might say something like, "They don't seem to make generals like they once did." Speaking of historical trivia: Did you know that Edward Ferrero, of "Crater" infamy, was a professional dance instructor turned Union general? Did you know that at Antietam, Union soldiers under the command of Ambrose Burnside (for whom sideburns are named) were cut to pieces attempting to funnel across what is now called the "Burnside Bridge" over Antietam Creek, rather than wade the waist-deep creek? Did you know that when Joseph Hooker was in charge, he had so may women and prostitutes allowed in camp that when one officer questioned a sentry something to the effect,

"Whose women are those?" the sentry said, "Oh, they're Hooker's." and the sobriquet apparently stuck?

<https://www.thetrace.org/2017/02/atf-official-white-paper-gun-industry-friendly-bureau/>

I would like what I say to be candid, honest, thought-provoking, and occasionally humorous; I don't consider it 'sniping,' while you may, and I tend to attack on all fronts, like Nathan Bedford Forrest, not picking particular battles. Here, from behind the scenes and for those not totally disinterested, is the dialogue/banter/commentary back and forth with (b) (6) pursuant to his provision of the above link re: white paper:

(b) (6) They don't seem to make generals like they once did. Thanks, best wishes. (b) (6)

"There have been numerous quotes about picking your battles. If ATF is laser focused on gun violence and wants to eliminate the sniping front the gun lobby, his ideas might be the best strategy to get the support ATF has never had.

Every policy decision at ATF ought to be boiled down to "Does it impact gun violence"? If so, how? Silencers and .223 green tips aren't on the radar of gun violence. Neither is importation of "sporting weapons".

I think the ideas are worthy of debate between those of us that have been in the arena. We could actually try something new (or maybe old and forgotten in recent political exchanges) that didn't involve ad hominem attacks or questioning of values/patriotism etc.

Thanks,

(b) (6)

(b) (6) Believe it or not, I recognize your points; Michael Vick and I don't personally have a dog in the fight; I will continue to say precisely what I think, hoping it might be somewhat thought-provoking for those who occasionally choose that innovative path; and I really, honestly, don't care one way or the other; but, I do want people, at least those other than the sycophants and myrmidons, to at least consider opposing viewpoints, to consider other possible options, and to do something besides blindly accept whatever potential feces buffet is currently being served. I will post your comments if you have no problem with it? Best wishes. (b) (6)

"Yes, (b) (6)

And, I appreciate your efforts to add a little humor. I wish Sessions hadn't come out on the Hill against adding resources to ATF. I think if we get out of the anti-gun label, some of those that have actively worked against us might let us get the support we deserve and maybe save a life or two.

Hope you are well. Seems you've spent more than your share of time with Doctors and nurses of late.

Thanks,

(b) (6)

(b) (6) have spent most of the last few years with doctors, nurses, hospitals, and physical therapists, as well as an occasional psychologist, but I think about our maimed veterans and recognize things could always be so much worse. I am now working on what surgery to have in 2/18. I figure if I'm going to do this newsletter, I am going to try to make it interesting, occasionally humorous, and to entertain me, if no one else. Best

wishes. (b) (6)

The above attachment, "Marist College Graduate..." is from ATFA, and is intended for ATFA members (only?). Seems to have something to do with online degree opportunities. If you aren't an ATFA member, consider joining, or not looking at the attachment.

ITEM 3. Policing. Steven Seagal, "It is a lot harder now to be a police officer than what it used to be."

That should open your sinuses right on up.

<http://www.telegraph.co.uk/news/2017/02/06/record-191m-cocaine-haul-seized-yacht-australian-police/>

From (b) (6) Things like respect for your elders , the flag, and the police continue to retreat into the distance.

http://www.policemag.com/channel/patrol/news/2017/02/06/sc-deputy-attacked-at-burglary-call-2-arrested.aspx?utm_campaign=OnTarget-Monday-New-20170206&utm_source=Email&utm_medium=Enewsletter&omid=1000420642

Also from (b) (6) MI has a Darwin contender.

http://www.policemag.com/channel/patrol/news/2017/02/06/masked-man-openly-carrying-rifle-and-wearing-armor-arrested-in-michigan-police-station.aspx?utm_campaign=OnTarget-Monday-New-20170206&utm_source=Email&utm_medium=Enewsletter&omid=1000420642

ITEM 4. Politics. Henry Kissinger, "Ninety percent of the politicians give the other ten percent a bad reputation."

Bully for (b) (6)

http://ijr.com/2017/02/796192-delta-force-operator-gives-media-some-basic-training-on-navy-seals-death-theyre-blaming-on-trump/?utm_source=email&utm_campaign=afternoon-newsletter&utm_medium=owned

DeVos confirmed in OT.

<http://www.foxnews.com/politics.html>

Corps of Engineers to grant easement for Dakota Access Pipeline.

<http://www.foxnews.com/politics/2017/02/07/us-army-corps-engineers-to-grant-easement-for-dakota-access-pipeline.html>

ITEM 5. General interest. Mo Udall, "If you can find something everyone agrees on, it's wrong."

Manager mistakes that cause good employees to leave. And oftentimes, these managers give preferential treatment and deference to their sycophants and myrmidons (show partiality,

favoritism).

<https://www.linkedin.com/pulse/bad-manager-mistakes-make-good-people-quit-dr-travis-bradberry>

<http://www.inc.com/travis-bradberry/8-mistakes-that-make-good-employees-leave.html>

Great story; glad the flight attendant was astute.

<http://www.foxnews.com/travel/2017/02/07/alaska-flight-attendant-praised-for-reportedly-saving-human-trafficking-victim.html>

God bless granny.

http://ijr.com/2017/02/795404-selfless-grandma-saved-neighbor-from-horrible-hit-and-run-but-now-her-family-s-mourning/?utm_source=email&utm_campaign=morning-newsletter&utm_medium=owned

Gun sales apparently slowing, now that Obama and Clinton don't pose such a threat.

<http://thehill.com/homenews/news/317806-gun-sales-slow-following-trump-election>

Did you know that nearly 10,000 kids are killed or injured by guns each year? Did you know that about 29,000 children under the age of five, that's some 21 per minute, die each day due to otherwise preventable causes? Did you know that in America, an average of four children die per day from abuse or neglect; that six teens commit suicide; and that 21 children/teens die from accidents? These are horrible and sobering statistics, and we need to do so much better for our children. Matthew 19:14, "Jesus said, "Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these." A. P. J. Abdul Kalam, "Let us sacrifice our today so that our children can have a better tomorrow."

<http://www.msnbc.com/the-last-word/the-toll-gun-violence-children>

<https://www.unicef.org/mdg/childmortality.html>

ITEM 6. Military. (b) (6) "Maxim 35. That which does not kill you has made a tactical error. *Amended:* That which does not kill me has made a tactical error.-The Seventy Maxims of Maximally Effective Mercenaries"

God bless the children. Isaiah 11:6, "The wolf will live with the lamb, the leopard will lie down with the goat, the calf and the lion and the yearling together; and a little child will lead them."

<http://www.military.com/daily-news/2017/02/06/un-more-900-children-killed-afghanistan-2016.html>

We need many more folks like (b) (6)

<http://www.military.com/daily-news/2017/02/06/lawmaker-petitions-mattis-approve-medal-honor-fallen-marine.html>

Hey, Obama, here is change we can live with.

http://ijr.com/2017/02/795488-macdill-trump-no-enemy-stands-chance/?utm_source=email&utm_campaign=morning-newsletter&utm_medium=owned

Thanks, Barack.

<http://freebeacon.com/national-security/militarys-depleted-aircraft-will-take-years-rebuild-obama-era-defense-cuts/>

ITEM 7. Terrorism. Aberjhani, "On either side of a potentially violent conflict, an opportunity exists to exercise compassion and diminish fear based on recognition of each other's humanity. Without such recognition, fear fueled by uninformed assumptions, cultural prejudice, desperation to meet basic human needs, or the panicked uncertainty of the moment explodes into violence."

19 killed in Kabul in suicide bombing at Supreme Court.

<http://www.military.com/daily-news/2017/02/07/suicide-bomber-strikes-afghan-supreme-court-killing-19.html>

They blow up so young nowadays.

<http://www.foxnews.com/world/2017/02/07/hamas-bomb-maker-accidentally-blows-himself-up.html>

Houthi and the blowup.

<https://watchjerusalem.co.il/2017/01/31/houthi-suicide-boats-target-saudi-warship-in-vital-red-sea-passageway/>

ISIS strategy.

<https://www.nytimes.com/2017/02/04/world/asia/isis-messaging-app-terror-plot.html>

ITEM 8. Words/history. Abba Eban, "History teaches us that men and nations behave wisely once they have exhausted all other alternatives."

sorrel, a light bright chestnut horse often with a white mane and tail; a brownish orange or light brown; a sourwood tree

whilom, former

snooker. The game of snooker, a variant of billiards, has its origins in British India, where, in 1975, British officers invented it. In military slang, a "snooker" is a junior military cadet, someone untested enough to be fooled easily, giving rise to the second sense of the word. Snooker was a favorite game of London gangsters in the 1950s, but by the 1970s it had become respectable, and tournaments are popular airings on British television.

Today in history. Boris Pasternak, "No one makes history, no one sees it happen, no one sees the grass grow."

<http://www.history.com/this-day-in-history>

1812 - an earthquake caused a fluvial tsunami in Mississippi, causing the river to run backwards for several hours;
1887 - plea bargaining began to gain favor with a plea to a misdemeanor from a felony;
1904 - believed to have started from a discarded cigarette, the Baltimore Fire raged for 31 hours, devastated 80 blocks of the city, leveled 1500 building and damaged 1000 more. No lives were lost, it was the worst domestic fire in the U.S. since the Great Chicago Fire in 1871, and it did more than \$200 million in improvements;
1915 - the Germans launched a successful surprise attack on Russian forces on the Eastern Front, out of a blinding snowstorm, at the Winter Battle of the Masurian Lakes;
1964 - the Beatles arrived in New York;
1970 - Pete Maravich of LSU scored 69 points against AL, a record that held for 21 years;
1979 - Dr. Josef Mengele, the "Angel of Death," from the Auschwitz concentration camp, died of a stroke in Brazil, although his death wasn't confirmed until 1985;
1984 - astronaut Bruce McCandless free-floated from the space shuttle *Challenger*, testing a jet pack for an hour and a half, and distancing himself as much as 300 feet, traveling at 17,500 mph, untethered, from the vehicle;
1992 - the European Union treaty was signed;
2002 - Bush announced plans for a 'faith-based initiative'; and,
2017 - the USSS is being kept fairly busy with an estimated 12,000 tweets thus far threatening Donald Trump.

1 Peter 4:8, "Above all, love each other deeply, because love covers over a multitude of sins."

Proverbs 14:10, "The heart knows its own bitterness, and a stranger does not share its joy."

Ephesians 4:31-32, "All bitterness, anger and wrath, insult and slander must be removed from you, along with all wickedness. And be kind and compassionate to one another, forgiving one another, just as God also forgave you in Christ."

Lawanda Blackwell, "Patterning your life around other's opinions is nothing more than slavery."

Paul Bryant, "If you believe in yourself and have dedication and pride - and never quit, you'll be a winner. The price of victory is high but so are the rewards."

Romans 2:6, "God 'will repay each person according to what they have done.'" Grace and peace be with you. (b) (6)

Sent from [Mail](#) for Windows 10

This email has been checked for viruses by Avast antivirus software.
www.avast.com

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To unsubscribe from this group, send email to (b) (6)

You received this message because you are subscribed to the Google Groups "Updates" group.

To unsubscribe from this group and stop receiving emails from it, send an email to ATF-family+unsubscribe@googlegroups.com.

For more options, visit <https://groups.google.com/d/optout>.

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Wed 9/20/2017 7:35:11 PM
Subject: Read: RE: (OLA WF 116120) LRM [WT-115-75] OMB Request for Views on HR3668 SHARE Act Sportsmen's Heritage And Recreational Enhancement Act

To: Brandon, Thomas E. (b) (6)
From: Larry Keane
Sent: Wed 2/22/2017 3:23:33 PM
Subject: RE: Arrests made

Second story about the 2 yrs is awful. It is just incomprehensible someone could leave a loaded gun around w/ kids I've alerted our Project ChildSafe team to reach out and offer PCS to the local PD.

-----Original Message-----

From: Thomas.E.Brandon (b) (6)
Sent: Wednesday, February 22, 2017 10:18 AM
To: Larry Keane
Subject: Re: Arrests made

10-4

Sent from my iPad

> On Feb 22, 2017, at 10:17 AM, Larry Keane <(b) (6)> wrote:

>

> Good news! If guilty, I hope they spend the rest of their lives locked up!

>

> -----Original Message-----

> From: Thomas.E.Brandon (b) (6)
> Sent: Wednesday, February 22, 2017 10:11 AM
> To: Larry Keane
> Subject: Arrests made

>

> Larry, FYSA.

>

>

> <http://usgso2.cdn.tveyes.com/mediacat/temp/179124e0169331935ba20e2b9f43b5f4.mp4?start=2&end=616>

>

>

> Sent from my iPad

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Wed 2/22/2017 3:17:50 PM
Subject: Re: Arrests made

10-4

Sent from my iPad

> On Feb 22, 2017, at 10:17 AM, Larry Keane (b) (6) wrote:
>
> Good news! If guilty, I hope they spend the rest of their lives locked up!
>
> -----Original Message-----
> From: Thomas.E.Brandon (b) (6)
> Sent: Wednesday, February 22, 2017 10:11 AM
> To: Larry Keane
> Subject: Arrests made
>
> Larry, FYSA.
>
>
> <http://usgso2.cdn.tveyes.com/mediacat/temp/179124e0169331935ba20e2b9f43b5f4.mp4?start=2&end=616>
>
>
> Sent from my iPad

To: Brandon, Thomas E. (b) (6)
From: Larry Keane
Sent: Wed 2/22/2017 3:19:43 PM
Subject: RE: Arrests made

Good news! If guilty, I hope they spend the rest of their lives locked up!

-----Original Message-----

From: Thomas.E.Brandon (b) (6)
Sent: Wednesday, February 22, 2017 10:11 AM
To: Larry Keane
Subject: Arrests made

Larry, FYSA.

<http://usgso2.cdn.tveyes.com/mediacat/temp/179124e0169331935ba20e2b9f43b5f4.mp4?start=2&end=616>

Sent from my iPad

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Wed 2/22/2017 3:10:50 PM
Subject: Arrests made

Larry, FYSA.

<http://usgso2.cdn.tveyes.com/mediacat/temp/179124e0169331935ba20e2b9f43b5f4.mp4?start=2&end=616>

Sent from my iPad

To: Brandon, Thomas E. (b) (6)
From: Larry Keane
Sent: Wed 3/15/2017 12:10:57 PM
Subject: Re: ATF: NC, SC Lead Country in Guns Stolen From Dealers | WFMYNEWS2.com

Good to hear.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M: (b) (6)

www.nssf.org

Washington DC Office
400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

On Wed, Mar 15, 2017 at 5:25 AM -0400, "Thomas.E.Brandon (b) (6)

(b) (6) wrote:

Larry, the data we pushed last week is having a public safety benefit for industry and LE. Have a nice day, Tom

<http://www.wfmynews2.com/news/local/atf-nc-sc-lead-country-in-guns-stolen-from-dealers/422576149>

Sent from my iPad

To: Gross, Charles R. (b) (6) Allen, Joseph J. (b) (6)
From: Brandon, Thomas E.
Sent: Wed 1/11/2017 4:40:56 AM
Subject: Fwd: VIDEO: Lakeland gun store smash and grab | FOX 13 Tampa Bay

FYSA

Sent from my iPad

Begin forwarded message:

From: Larry Keane <(b) (6)>
Date: January 10, 2017 at 11:07:23 PM EST
To: "Thomas E. Brandon" <(b) (6)>, Ronald Turk <(b) (6)>
Subject: VIDEO: Lakeland gun store smash and grab | FOX 13 Tampa Bay

Wrong approach by the sheriff

<http://www.fox13news.com/news/local-news/228057484-story>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

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11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Brandon, Thomas E. (b) (6)
From: Larry Keane
Sent: Tue 3/21/2017 3:01:51 PM
Subject: Re: 3 men charged with burglaries at Va. gun stores - Story | WTTG

Good news

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)

M:

(b) (6)

www.nssf.org

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11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

On Tue, Mar 21, 2017 at 11:00 AM -0400, "Thomas.E.Brandon (b) (6)"
<(b) (6)> wrote:

FYSA

<http://www.fox5dc.com/news/local-news/242767783-story>

Sent from my iPad

To: Brandon, Thomas E. (b) (6)
From: Larry Keane
Sent: Thur 3/23/2017 2:28:13 PM
Subject: Re: UPDATE: Man facing burglary charges after dozens of handguns taken from Athens pawn shop | Appnews | waaytv.com

Good

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)
www.nssf.org
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400 No. Capitol St., NW
Suite 490
Washington, DC 20001
Headquarters
11 Mile Hill Road
Newtown, CT 06470

NSSF is the firearms industry's trade association.

On Thu, Mar 23, 2017 at 10:13 AM -0400, "Thomas.E.Brandor (b) (6)

(b) (6) wrote:

More good stuff.

http://m.waaytv.com/appnews/update-man-facing-burglary-charges-after-dozens-of-handguns-taken/article_05703180-0d8d-11e7-9354-ffe80c86be29.html

Sent from my iPhone

Pages 4917 – 4918

Pulled for additional review

Federal law: Title 18 USC § 926A – The Federal Firearms Owners’ Protection Act (FFOPA) of 1986 provides an exemption from local laws where the person traveling with a firearm for a lawful purpose from a state where the possession of the firearm is legal to another state where the possession of that firearm is legal*, providing that during such transportation the firearm is unloaded and not readily accessible to any passenger in the transporting vehicle and if there is no separate compartment in that vehicle, then the ammunition shall be in a locked container other than a glove box or console. **Must also check if the type of firearm and magazine you have is legal in the state you are traveling to! Note: “travel” means uninterrupted travel.*

Remember all the above must be complied with.

IT IS YOUR RESPONSIBILITY TO DO SO.

More information is available at:

www.nraila.org/gun-laws/state-laws.aspx

FYI â€” here is a quote from Senator Sessions in a news article in late 2013.

Senator Sessions to the Senate Judiciary Committee today: â€œI was the federal prosecutor for the Southern District of Alabama, and we aggressively went after those who were found with guns in their possession during the commission of crimes. To this day, that district has the highest rate of federal gun prosecutions of anywhere in the country, and I am convinced that we sent a message to criminals. We saw a decline in the violent crime rate as a result.

Under the Obama Administration, prosecution of criminals for gun crimes has fallen significantly. So they are pushing for new laws to infringe on the Second Amendment rights of law-abiding Americans while failing to do the one thing that will truly save lives: going after criminals for gun crimes.â€

Here is an NRA press release from this week;

NRA Chris W. Cox: Sen. Jeff Sessions will fight for the Second Amendment

[By Chris W. Cox](#) | Thursday, January 5, 2017

Unlike his predecessors, Jeff Sessions knows that law-abiding gun owners are not the problem.

For the last eight years, Americans who care about the Second Amendment and our right to self-defense have faced an administration intent on dismantling those freedoms. The gun control lobby, [funded by billionaires like Michael Bloomberg](#), tried to turn the 2016 election into a referendum on the Second Amendment â€” and they lost. Now, due in no small part to the efforts of the National Rifle Association and our members, law-abiding gun owners can look forward to a president who respects our rights. In that regard, we should all be happy about President-elect Donald Trumpâ€™s nomination of [Sen. Jeff Sessions](#) to be the next attorney general.

Eric Holder and Loretta Lynch's politicization of the Department of Justice over the last eight years will not be reversed overnight. But in Jeff Sessions, we can look forward to an attorney general who will focus the Department's attention on prosecuting violent criminals and getting them off our streets. He will make our cities and communities safer.

Unlike his predecessors, Sessions knows that law-abiding gun owners are not the problem. He strongly supports our Second Amendment freedoms and will work tirelessly to protect them. This is in marked contrast to [Holder](#) and [Lynch](#), who constantly attacked America's gun owners. [Operation Choke Point](#), for example, was an organized effort to suffocate legitimate firearms retailers by denying them banking services. And who can forget [Operation Fast and Furious](#), the gunrunning probe that allowed thousands of weapons to flow across the border into Mexico and end up in the hands of drug cartels?

The office of attorney general is of the utmost importance. This position is head of both the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives, the agencies tasked with enforcing federal gun laws. Over the last 10 years, America saw a dramatic decline in the number of federal firearms convictions â€” by [nearly 35%](#). Whatâ€™s more, President Obama [pardoned criminals](#) imprisoned for gun crimes.

Sessions has repeatedly called out anti-gun lawmakers for this hypocrisy. For decades, he has focused on the need to [enforce existing laws](#), rather than pushing for new regulations that only affect the law-abiding. He is a constitutional lawyer with a deep understanding of the law, who believes in a justice system that is fair and equitable to all Americans.

Throughout his time in the U.S. Senate, Jeff Sessions has been a strong leader for our rights. In 2005, for example, Sessions [argued on the Senate floor](#) for passage of the Protection of Lawful Commerce of Arms Act, to protect firearms manufacturers from predatory lawsuits. In addition, he led the charge against the U.S. Supreme Court nominations of [Sonia Sotomayor](#) and [Elena Kagan](#), both of whom had [anti-Second](#) Amendment records.

Sessions has [voted to prohibit firearms confiscation](#) during a declared state of emergency, and has opposed bans on America's most popular firearms, calling them â€œthe [essence of gun ownership](#) today.â€ He has also voted in favor of a [national right-to-carry amendment](#), which would remove the confusing patchwork of state gun laws that often ensnare law abiding gun owners when they travel from state to state.

Finally, and importantly, Sessions supports programs such as [Project Exile](#), which ensure that [violent criminals who misuse firearms are sent to federal prison](#). When implemented in Richmond, Virginia back in the 1990's, Project Exile caused the crime rate in that city to [fall dramatically](#). Sessions knows what he is talking about. As a U.S. Attorney, Sessions prosecuted criminals who used guns.

Sessionsâ€™ strong record in support of Second Amendment rights and his focus on prosecuting violent criminals make him the right person to serve as our next attorney general. All Americans should support his nomination, and encourage their U.S. senators to do likewise.

Pages 4922 – 4923

Pulled for additional review

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Mon 12/26/2016 2:55:02 AM
Subject: Crime Victims' Rights Act | USAO | Department of Justice

<https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>

Sent from my iPad

Pages 4925 – 4926

Pulled for additional review

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Tue 12/20/2016 2:11:49 PM
Subject: Re: SHOT Show

Thanks, Larry.

Sent from my iPad

On Dec 20, 2016, at 9:10 AM, Larry Keane (b) (6) wrote:

Tom

Sorry to hear that. We were looking forward to seeing you at SHOT.

Lawrence Keane
Senior Vice President, Assistant Secretary
& General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

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Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

On Dec 20, 2016, at 8:13 AM, "[Thomas.E.Brandon](#)" (b) (6)

(b) (6) wrote:

Larry,

I had planned on and looked forward to attending SHOT this year. For budget (very tight) and operational concerns, I will not be attending but Ron, Marvin, and Marvin's team will. I wish you and (b) (6) much success with SHOT 2017.

Tom

Sent from my iPad

To: Brandon, Thomas E. (b) (6)
From: Richardson, Marvin G.
Sent: Tue 12/20/2016 3:38:08 AM
Subject: Re: Bullet Points - Weekly Firearms Industry Newsletter

Excellent! Thanks.

Marvin G. Richardson
Assistant Director, ATF

On Dec 19, 2016, at 5:37 PM, Brandon, Thomas E. <(b) (6)> wrote:

Thanks, Larry.

Sent from my iPad

On Dec 19, 2016, at 4:52 PM, Larry Keane (b) (6) wrote:

FYI in Bullet Points today.

- Criminals are counting on FFLs being closed while owners and staff are spending time with their families, so before you lock your doors on Christmas Eve, go over [these 10 steps](#) to keep your inventory secure and your community safe.

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W: (b) (6)
M: (b) (6)

(b) (6)

www.nssf.org

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400 No. Capitol St., NW

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Washington, DC 20001

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11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

Begin forwarded message:

From: Bullet Points <bulletpoints@nssf.org>

Date: December 19, 2016 at 4:48:51 PM EST

To: (b) (6)

Subject: Bullet Points - Weekly Firearms Industry Newsletter

Criminals are counting on FFLs being closed while owners and staff are spending time with their families, so before you lock your doors on Christmas Eve, go over [these 10 steps](#) to keep your inventory secure and your community safe.

From: atf-family@googlegroups.com
Sent: Tue 4/18/2017 3:13:10 AM
Subject: [ATF Family News Updates] (2017 - #97-1) Greetings///ATF///Policing///Politics///General interest///Military///Terrorism///Words/history

ITEM 2. ATF. John C. Maxwell, "Leadership is not about titles, positions or flowcharts. It is about one life influencing another."

Sounds like a great caper; didn't want to say bust.

http://www.masslive.com/news/index.ssf/2017/04/holyoke_police_hampden_da_rele.html

The above attachment, "off-the-books..." is from (b) (6) and is yet another treatise on the Bristol, VA, tobacco initiative/fiasco.

From (b) (6) another such article.

<http://ticklethewire.com/2017/04/11/atf-agents-use-off-books-bank-accounts-inappropriate-purchases/>

The above attachment, "ATF found LA are..." is also from (b) (6) and speaks to what appears to be engaging in dealing firearms without a license by some LA area police departments.

From (b) (6) officers selling guns illegally.

<http://ticklethewire.com/2017/04/14/atf-law-enforcement-officers-increasingly-buying-guns-illegally-selling-public/>

For those persons in the DC area who want or need to qualify for HR218, the only current option of which I am aware is with the NRA. (b) (6) has already gone, he said the course was a little different than what we have been firing (as well as free), and I am slated for the 25th at noon. You need to call this guy/number to schedule, and wait for him to get back with you: (b) (6)

(b) (6)

Sent from [Mail](#) for Windows 10

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While the following entities may ask for this forum to be another means to disseminate an item of information that it would like conveyed to this audience, this initiative does not speak for, nor does it represent, nor is its content influenced by, nor is it sanctioned by, nor is its content otherwise provided or endorsed or condoned by the Bureau of ATF, ATFAR, nor ATFA.

To unsubscribe from this group, send email to (b) (6)

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Pages 4932 – 4944

Pulled for additional review

To: McDermond, James E. (b) (6)
From: Brandon, Thomas E.
Sent: Sat 12/10/2016 3:41:33 PM
Subject: Re: The Tracking and Analysis of FFL Burglaries and Robberies

Jim, thanks so much for your fulsome plan and follow through. As usual, you are spot on re us implementing templates for certain investigations. I'm sure you and Michael will make it happen.

Please know I wrote this morning's email knowing I won't be here next year and I wanted to empower you to march forward.

Have a great weekend and thanks again for your leadership to make our "intelligence capacity" grow and to be acted on.

Tom

Sent from my iPad

> On Dec 10, 2016, at 10:22 AM, McDermond, James E. (b) (6) wrote:
>
> Tom,
>
> Will do. Please know that following our meeting (b) (6) and I met with my analyst and the Division Chief regarding CY16 report which will be delivered in 2017. Additionally,
> I requested from (b) (6) email with his comments on his final review of the report.
>
> Please know to get the granularity that we are seeking I will need to meet with Michael so that a memo can be directed to to the field that they must be responsive to questions that need to be asked and answered during the course of every investigation involving an FFL/Burglary and if not in the file that PSII will be contacting. The agent to gather the information. The most efficient way of capturing this data is to utilize a template ROI which would prompt the agent to answer the questions which would be formatted in the template ROI.
>
> I have been lobbying for years that we make this change in our reporting format however it has met with resistance. I have suggested that based on the case type selected within NFORCE, the application would produce the template for the ROI. The questions which represent significant information that we need to know about each investigation of this type would be formatted into the body of the ROI. This would ensure that the agent addresses each of the questions during the course of every investigation. The significant information needs (questions) would be different based on the type of investigation being conducted. This type of templates/formatted report will be developed in Spartan.
>
> To get information we need to produce a comprehensive report the analyst is currently reading all ROIs. However, there is no consistency in reporting and many times lacks the significant information we need for comprehensive analysis.
>
> I have instructed the analyst when required to contact the case agent and ask him/her to provide the missing significant information (if known).
>
> The issue I need to work with Micheal is the potential of the case agent being non responsive to our contact or taking issue with the analyst asking questions about the investigation. This is a significant culture shift.
>
> I will be meeting with Michael next week to discuss this matter.
>
> Regards,
> Jim
>
> Jim McDermond
> Assistant Director/ATF
> 202-648(b) (6) office)
> (b) (6) mobile)

>
>
>> On Dec 10, 2016, at 8:54 AM, Brandon, Thomas E. (b) (6) wrote:
>>
>> Good Morning Jim,
>>
>> This email follows our meeting from last Tuesday (12/6/16) with NSSF.
>>
>> For calendar year 2017, please have your program manager use a database (not rely on N-Force) to record data for all reported FFL burglaries and robberies. (We should produce two reports: one for burglaries and one for robberies.) As we talked in our meeting, let's get more granular now and not wait on Spartan to produce intelligence that could enhance prevention and thus public safety.
>>
>> I'll let you and your team collaborate on what data should be captured, and I ask that you reach out to NSSF for their input as well. After you do, please brief (by 1/31/17) Ron and me so we can view what we will be collecting, processing, analyzing, and reporting on to combat the annual theft of thousands of firearms.
>>
>> Thanks, Jim. Have a nice weekend.
>>
>> Tom
>>
>> Sent from my iPad

To: Brandon, Thomas E. (b) (6)
From: McDermond, James E.
Sent: Sat 12/10/2016 3:22:03 PM
Subject: Re: The Tracking and Analysis of FFL Burglaries and Robberies

Tom,

Will do. Please know that following our meeting John and I met with my analyst and the Division Chief regarding CY16 report which will be delivered in 2017. Additionally, I requested from (b) (6) in email with his comments on his final review of the report.

Please know to get the granularity that we are seeking I will need to meet with Michael so that a memo can be directed to the field that they must be responsive to questions that need to be asked and answered during the course of every investigation involving an FFL/Burglary and if not in the file that PSII will be contacting. The agent to gather the information. The most efficient way of capturing this data is to utilize a template ROI which would prompt the agent to answer the questions which would be formatted in the template ROI.

I have been lobbying for years that we make this change in our reporting format however it has met with resistance. I have suggested that based on the case type selected within NFORCE, the application would produce the template for the ROI. The questions which represent significant information that we need to know about each investigation of this type would be formatted into the body of the ROI. This would ensure that the agent addresses each of the questions during the course of every investigation. The significant information needs (questions) would be different based on the type of investigation being conducted. This type of templates/formatted report will be developed in Spartan.

To get information we need to produce a comprehensive report the analyst is currently reading all ROIs. However, there is no consistency in reporting and many times lacks the significant information we need for comprehensive analysis.

I have instructed the analyst when required to contact the case agent and ask him/her to provide the missing significant information (if known).

The issue I need to work with Micheal is the potential of the case agent being non responsive to our contact or taking issue with the analyst asking questions about the investigation. This is a significant culture shift.

I will be meeting with Michael next week to discuss this matter.

Regards,
Jim

Jim McDermond
Assistant Director/ATF
202-648(b) (6) office)
(b) (6) mobile)

> On Dec 10, 2016, at 8:54 AM, Brandon, Thomas E. <(b) (6)> wrote:

>

> Good Morning Jim,

>

> This email follows our meeting from last Tuesday (12/6/16) with NSSF.

>

> For calendar year 2017, please have your program manager use a database (not rely on N-Force) to record data for all reported FFL burglaries and robberies. (We should produce two reports: one for burglaries and one for robberies.) As we talked in our meeting, let's get more granular now and not wait on Spartan to produce intelligence that could enhance prevention and thus public safety.

>

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processing, analyzing, and reporting on to combat the annual theft of thousands of firearms.

>

> Thanks, Jim. Have a nice weekend.

>

> Tom

>

> Sent from my iPad

Pages 4949 – 4951

Pulled for additional review

To: Shaefer, Christopher C.[/o=mms/ou=exchange administrative group
(fydibohf23spdlt)/cn=recipients/cn=shaefer, chribd7d3d71-12f7-4eb4-99ef-50bc90f83eba505]
From: Brandon, Thomas E.
Sent: Thur 5/4/2017 11:15:51 AM
Subject: Read: RE: A Non-NFA 14" Shotgun? The Mossberg Shockwave 12 Ga. – Full Review. - YouTube

Pages 4953 – 4957

Pulled for additional review

To: Shaefer, Christopher C. (b) (6)
From: Turk, Ronald B.
Sent: Fri 5/26/2017 5:05:44 PM
Subject: Read: NSSF and ATF Meet for Regulatory Reform Discussions

To: Larry Keane (b) (6)
From: Brandon, Thomas E.
Sent: Thur 12/8/2016 1:29:03 AM
Subject: Re: Burglary Prevention Part V—Testing Your Alarm System | NSSF Blog

Thanks, Larry.

Sent from my iPhone

On Dec 7, 2016, at 7:12 PM, Larry Keane <(b) (6)> wrote:

FYI

<http://www.nssfblog.com/burglary-prevention-part-v-testing-your-alarm-system/>

Lawrence Keane
SVP Government & Public Affairs,
Assistant Secretary & General Counsel
National Shooting Sports Foundation

W:

M:

(b) (6)
(b) (6)

www.nssf.org

Washington DC Office

400 No. Capitol St., NW

Suite 490

Washington, DC 20001

Headquarters

11 Mile Hill Road

Newtown, CT 06470

NSSF is the firearms industry's trade association.

To: Brandon, Thomas E. (b) (6)
From: McDermond, James E.
Sent: Tue 11/29/2016 12:10:57 AM
Subject: Re: RE:

Tom,

Your welcome.

Jim

Jim McDermond
Assistant Director/ATF
202-648-(b) (6) (office)
(b) (6) (mobile)

On Nov 28, 2016, at 5:54 PM, Brandon, Thomas E. <(b) (6)> wrote:

Thanks, Jim

From: McDermond, James E.
Sent: Monday, November 28, 2016 5:13 PM
To: Brandon, Thomas E. (b) (6)
Cc: Allen, Joseph J. (b) (6)
Subject:

Tom,

Attached are the slides that will be presented to you tomorrow during the Monitored Case Briefing. We will include these slides during our meeting with NSSF.

Regards,
Jim

James McDermond / Assistant Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Strategic Intelligence and Information
O: 202-648-(b) (6) / M: (b) (6) / F: 202-648-9686

To: McDermond, James E. (b) (6)
From: Brandon, Thomas E.
Sent: Mon 11/28/2016 10:54:37 PM
Subject: RE:

Thanks, Jim

From: McDermond, James E.
Sent: Monday, November 28, 2016 5:13 PM
To: Brandon, Thomas E. <(b) (6)>
Cc: Allen, Joseph J. <(b) (6)>
Subject:

Tom,

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Regards,
Jim

***James McDermond** / Assistant Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Strategic Intelligence and Information
O: 202-648-(b) (6) / M: (b) (6) / F: 202-648-9686*

To: Brandon, Thomas E. (b) (6)
Cc: Allen, Joseph J. (b) (6)
From: McDermond, James E.
Sent: Mon 11/28/2016 10:13:04 PM
[2016 FFL Burglaries October Update.ppt](#)

Tom,

Attached are the slides that will be presented to you tomorrow during the Monitored Case Briefing. We will include these slides during our meeting with NSSF.

Regards,
Jim

James McDermond / Assistant Director
Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Strategic Intelligence and Information
O: 202-648-(b) (6) M: (b) (6) / F: 202-648-9686



U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms & Explosives



FFL Burglaries January - October 2016

November 18, 2016

CLASSIFIED BY: (b) (6)
DERIVED FROM: MR
DECLASSIFY ON: MR

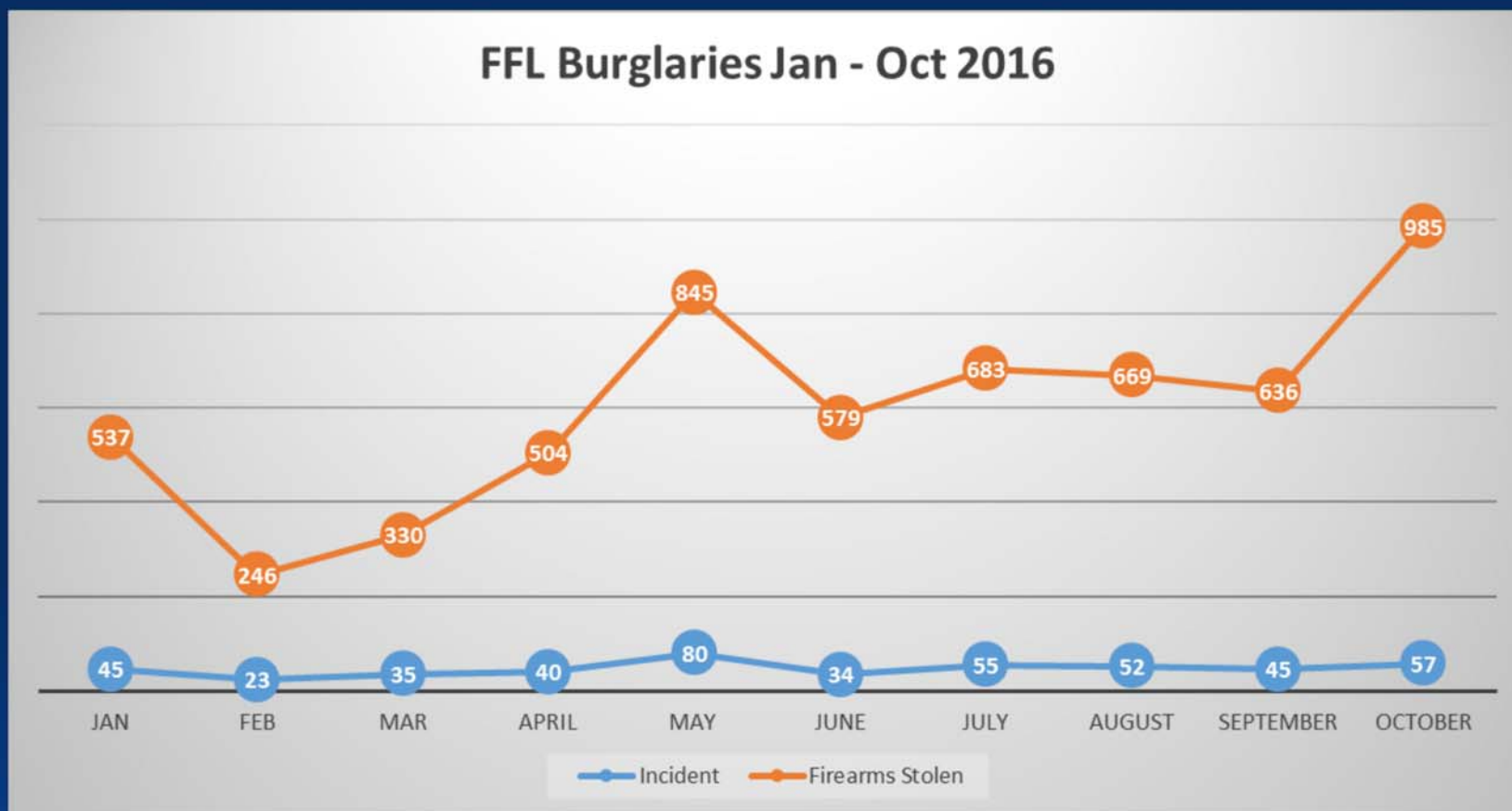


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Bureau of Alcohol, Tobacco, Firearms & Explosives

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FFL Burglaries – January through October 2016



4964

FFL Burglaries – January through October 2016

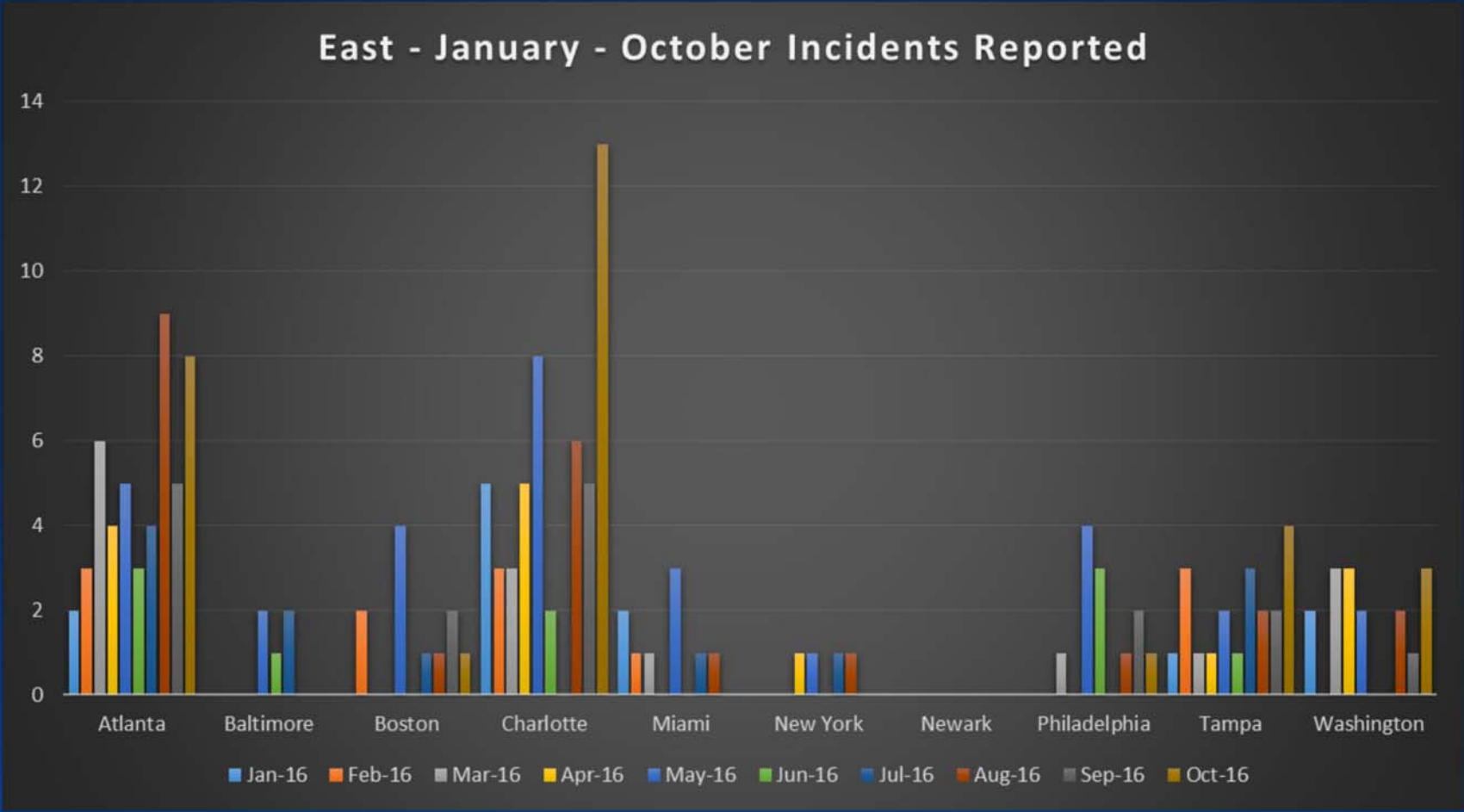
East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016	May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016	Oct-16	FS Oct 2016	Total Burglary	Total Firearm s
Atlanta	2	26	3	65	6	94	4	71	5	140	3	68	4	57	9	104	5	33	8	101	49	759
Baltimore	0	0	0	0	0	0	0	0	2	2	1	3	2	28	0	0	0	0	0	0	5	33
Boston	0	0	2	8	0	0	0	0	4	26	0	0	1	21	1	14	2	6	1	16	11	91
Charlotte	5	80	3	21	3	49	5	32	8	47	2	60	0	0	6	122	5	37	13	387	50	835
Miami	2	2	1	1	1	1	0	0	3	6	0	0	1	16	1	5	0	0	0	0	9	31
New York	0	0	0	0	0	0	1	3	1	1	0	0	1	9	1	8	0	0	0	0	4	21
Newark	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0	4	45	3	68	0	0	1	5	2	13	1	26	12	160
Tampa	1	2	3	4	1	1	1	11	2	72	1	2	3	98	2	10	2	55	4	124	20	379
Washington	2	58	0	0	3	22	3	57	2	8	0	0	0	0	2	6	1	10	3	35	16	196
Total	12	168	12	99	15	170	14	174	31	347	10	201	12	229	23	274	17	154	30	689	176	2505
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016	May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016	Oct-16	FS Oct 2016	Total Burglary	Total Firearm s
Chicago	2	76	0	0	2	15	1	10	2	19	3	77	1	13	0	0	2	33	2	66	15	309
Columbus	3	34	1	24	2	40	0	0	2	11	1	13	5	41	3	32	2	48	2	37	21	286
Detroit	0	0	0	0	0	0	5	95	4	10	0	0	0	0	0	0	0	0	3	36	12	141
Kansas	4	41	0	0	3	14	0	0	5	23	0	0	2	11	1	16	4	26	1	9	20	140
Louisville	1	15	0	0	0	0	0	0	2	19	1	4	2	31	2	8	2	19	1	7	11	103
Nashville	1	11	0	0	1	19	2	6	6	11	0	0	7	121	1	10	7	152	4	49	29	379
New Orleans	3	10	2	8	2	5	4	69	11	156	3	19	5	40	4	65	2	8	4	21	40	401
St. Paul	3	20	0	0	0	0	1	25	0	0	0	0	5	28	4	37	1	77	0	0	14	187
Total	17	207	3	32	10	93	13	205	32	249	8	113	27	285	15	168	20	363	17	225	162	1940
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016	May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016	Oct-16	FS Oct 2016	Total Burglary	Total Firearm s
Dallas	3	27	3	10	1	1	3	50	3	6	2	20	2	19	2	9	2	56	2	24	23	222
Denver	4	4	0	0	1	5	3	24	1	1	4	101	4	12	3	58	1	25	2	37	23	267
Houston	2	27	0	0	0	0	2	10	5	88	3	55	3	22	4	90	1	1	2	4	22	297
Los Angeles	0	0	0	0	2	14	0	0	1	5	1	18	0	0	1	7	0	0	1	1	6	45
Phoenix	3	87	1	1	2	9	0	0	1	7	2	6	1	10	0	0	1	3	2	2	13	125
San Francisco	3	13	3	100	1	18	3	33	4	135	2	51	4	77	3	48	2	23	1	3	26	501
Seattle	1	4	1	4	3	20	2	8	2	7	2	14	2	29	1	15	1	11	0	0	15	112
Total	16	162	8	115	10	67	13	125	17	249	16	265	16	169	14	227	8	119	10	71	128	1569



U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms & Explosives



East – Incidents Reported

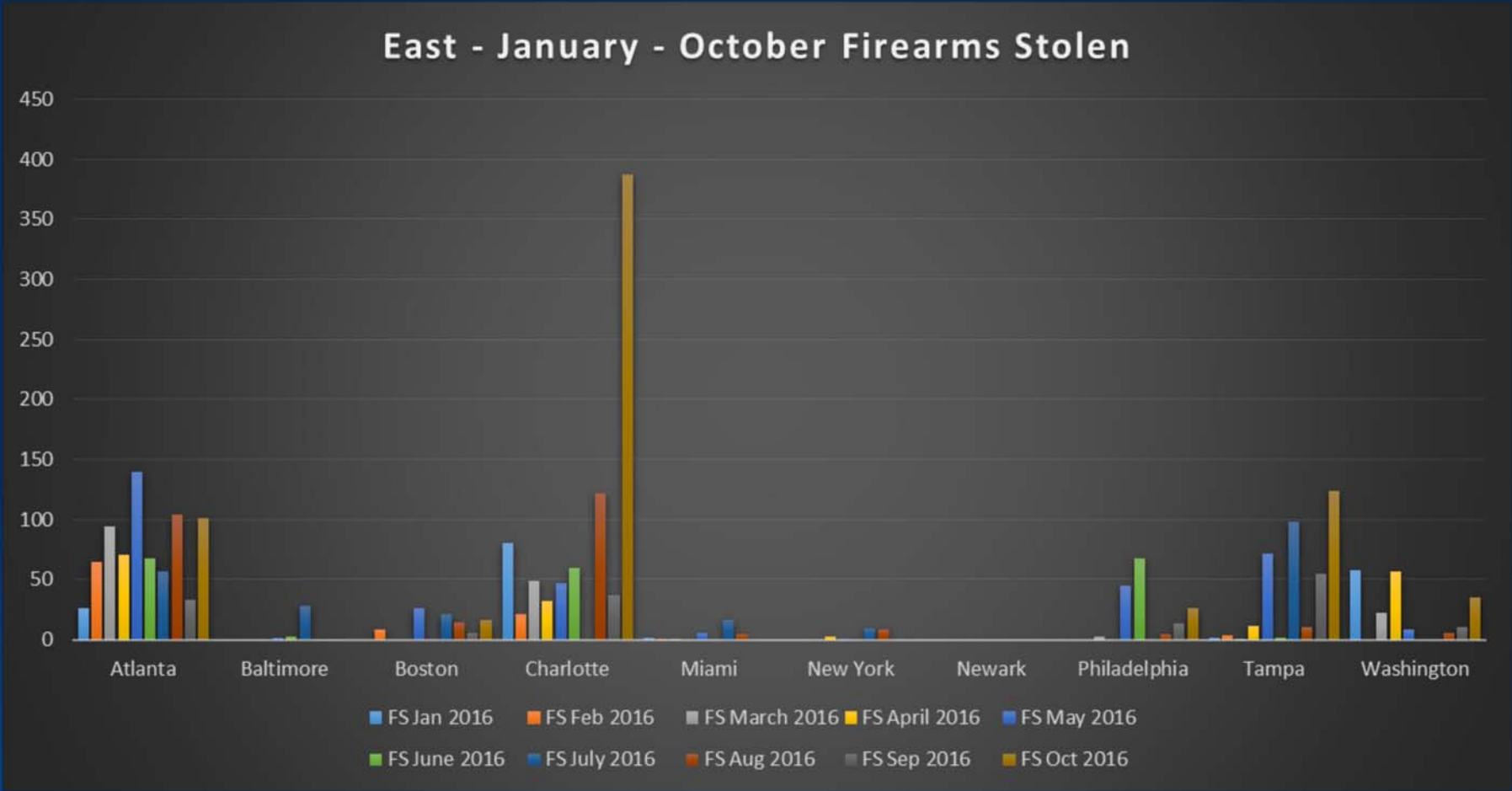




U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms & Explosives



East – Firearms Stolen



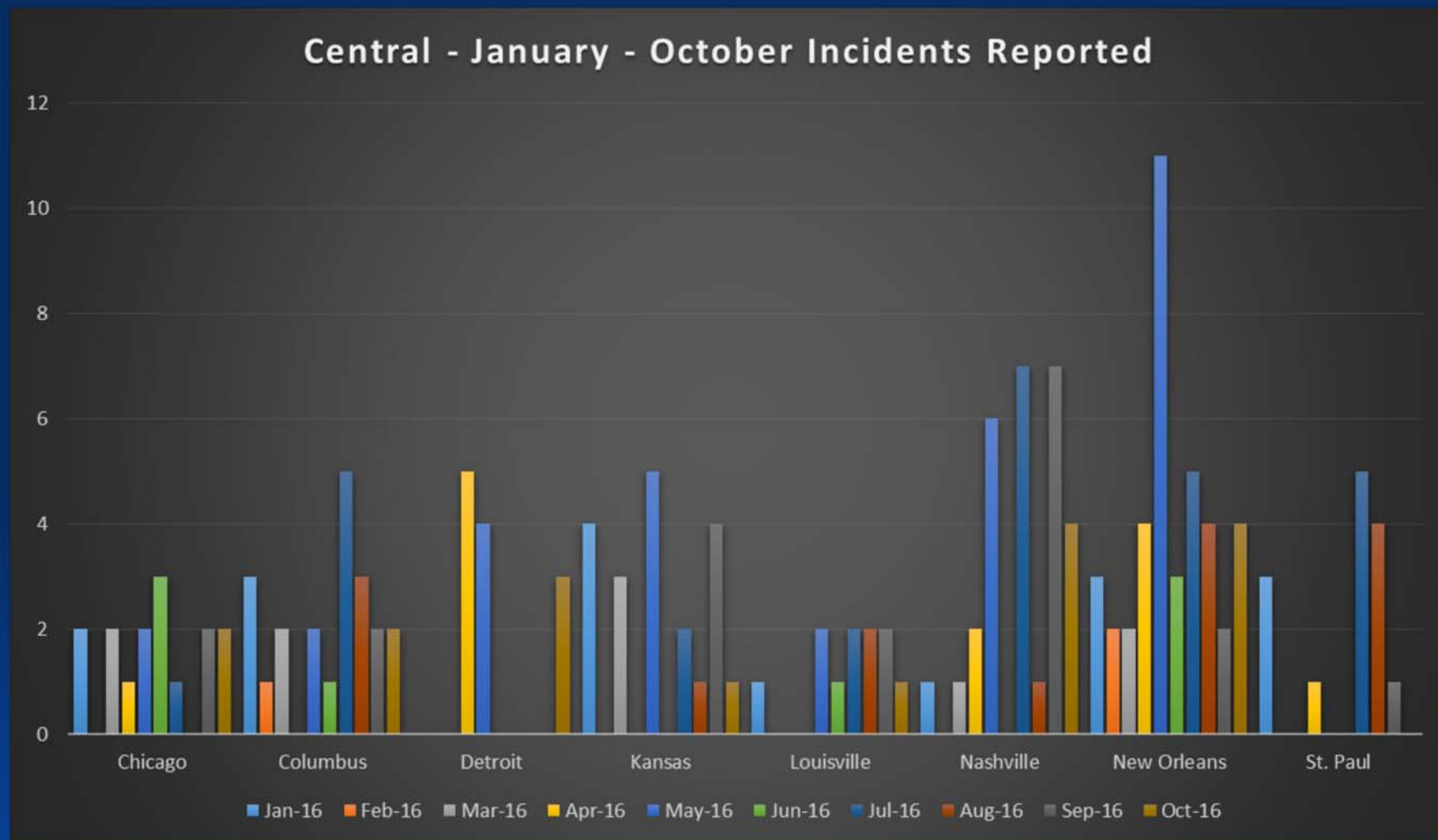


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Bureau of Alcohol, Tobacco, Firearms & Explosives

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Central – Incidents Reported



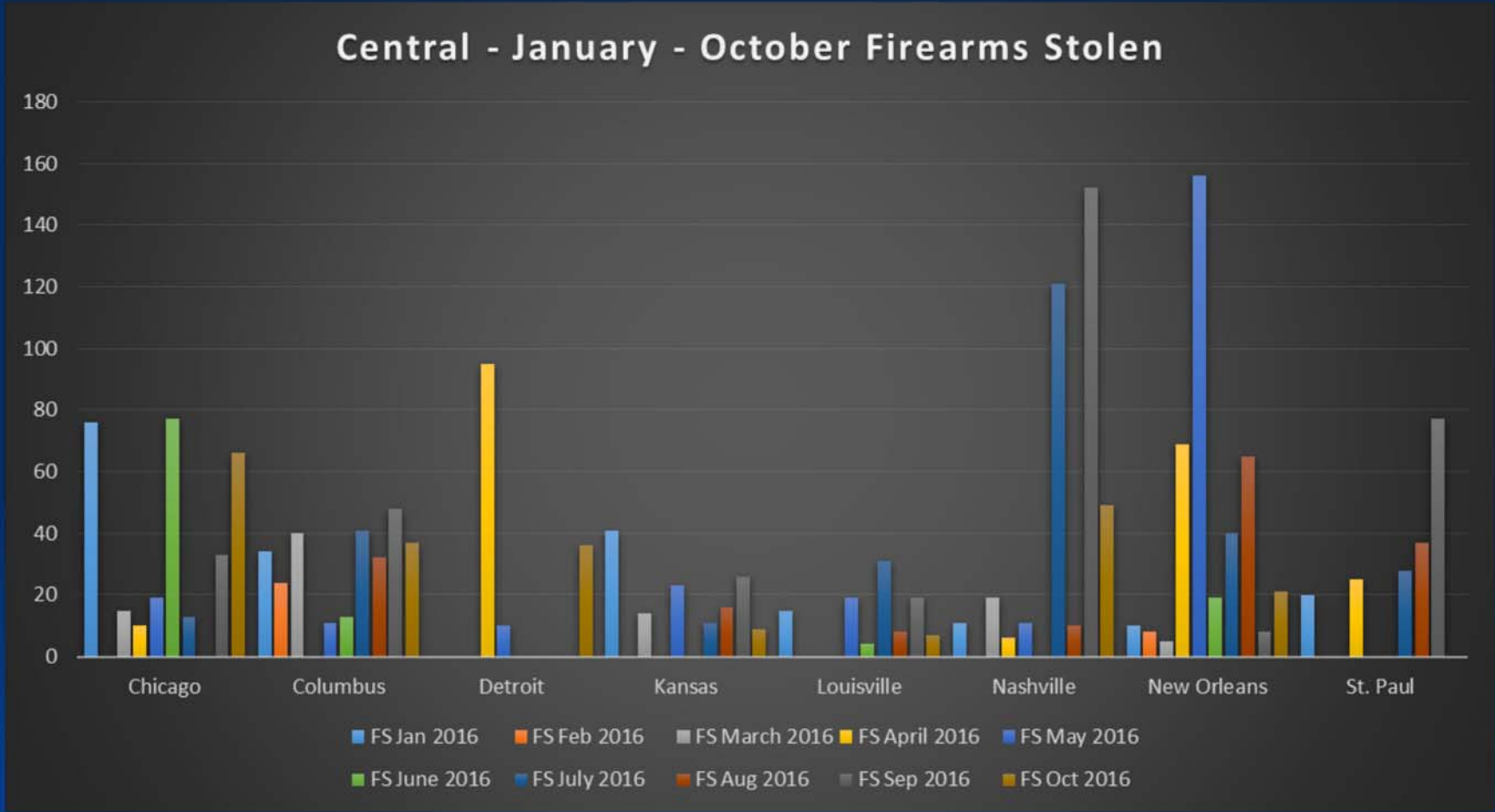
4968



U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms & Explosives



Central – Firearms Stolen



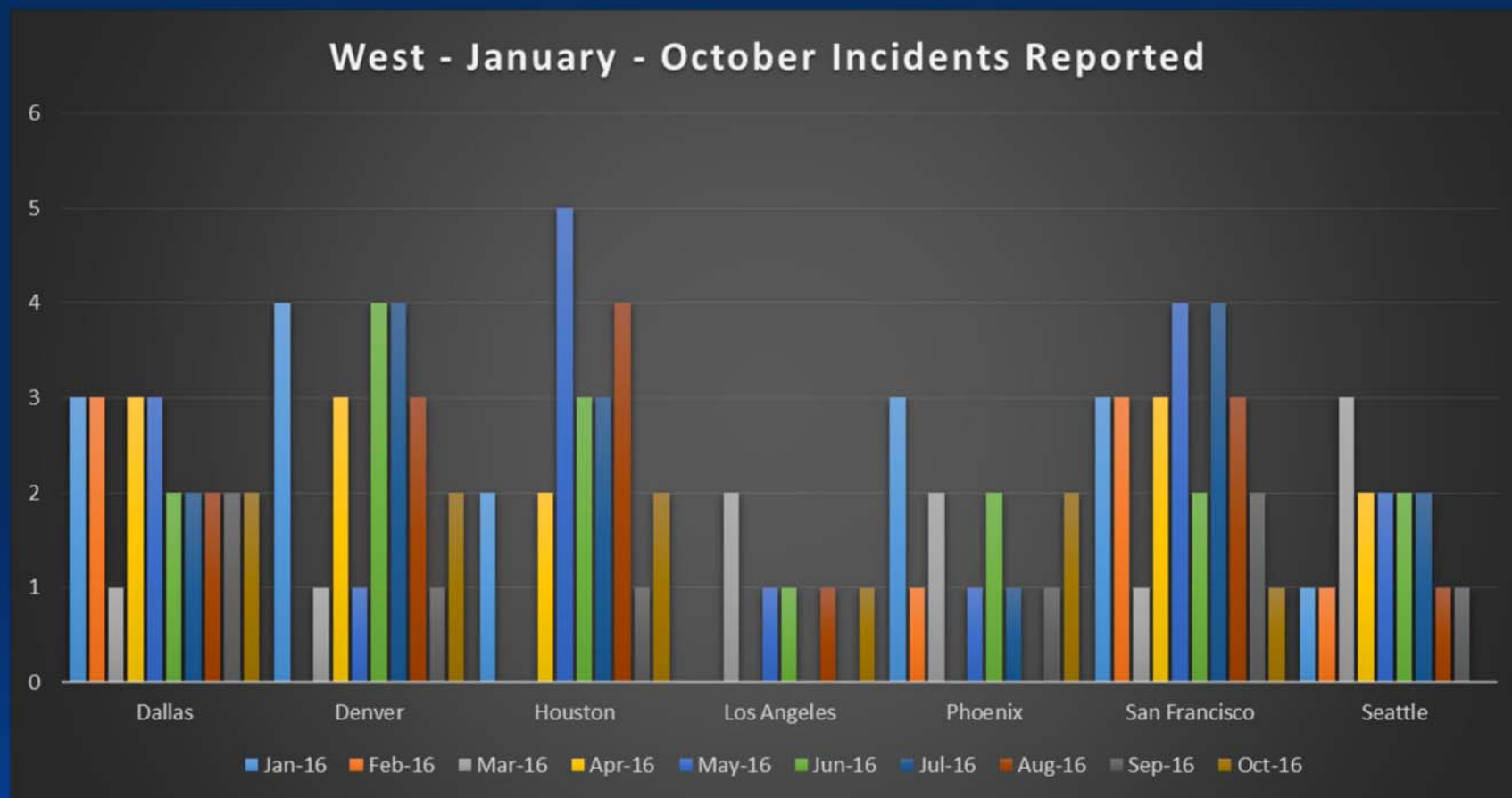


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West – Incidents Reported



4970

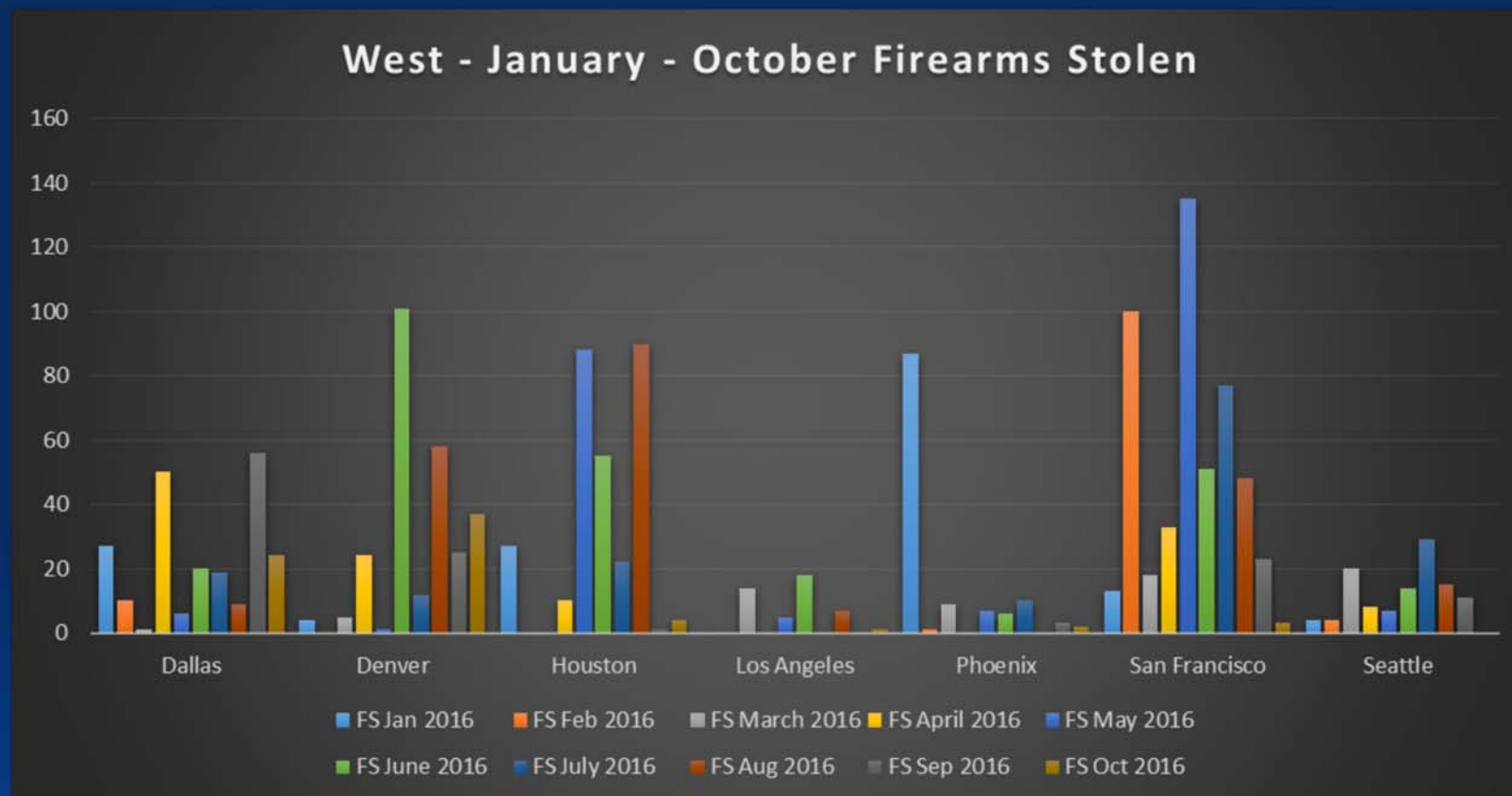


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Bureau of Alcohol, Tobacco, Firearms & Explosives

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West – Firearm Stolen



4971

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FFL Burglaries Jan - Oct 2016



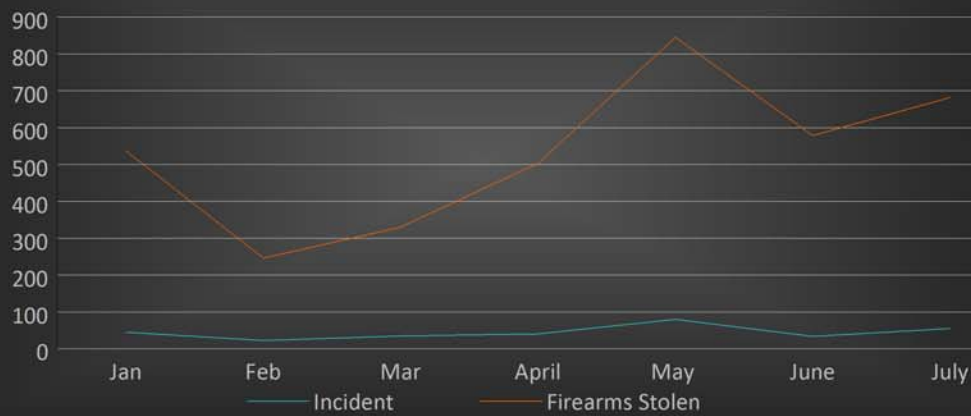
East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Dallas	3	27	3	10	1	1	3	50
Denver	4	4	0	0	1	5	3	24
Houston	2	27	0	0	0	0	2	10
Los Angeles	0	0	0	0	2	14	0	0
Phoenix	3	87	1	1	2	9	0	0
San Francisco	3	13	3	100	1	18	3	33
Seattle	1	4	1	4	3	20	2	8
Total	16	162	8	115	10	67	13	125
Totals	45	537	23	246	35	330	40	504
Month	Incident	Firearms Stolen						
Jan	45	537					FFL Burgla	
Feb	23	246						
Mar	35	330						

[illegible]

Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
8	101	49	759					
0	0	5	33					
1	16	11	91					900
13	387	50	835					
0	0	9	31					800
0	0	4	21					
0	0	0	0					700
1	26	12	160					600
4	124	20	379					
3	35	16	196					500
30	689	176	2505					400
Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
2	66	15	309					300
2	37	21	280					200
3	36	12	141					100
1	9	20	140					0
1	7	11	103					
4	49	29	379					
4	21	40	401					
0	0	14	187					
17	225	162	1940					
Oct-16	FS Oct 2016	Total Burglary	Total Firearms		Atlanta	Jan	Feb	Mar
2	24	23	222		Incidents	2	3	6
2	37	23	267		Firearms	26	65	94
2	4	22	297					
1	1	6	45					
2	2	13	125					
1	3	26	501					
0	0	15	112					
10	71	128	1569					
57	985	466	6,014					

FFL Burglaries Jan - Jun 2016

FFL Burglaries Jan - Jul 2016



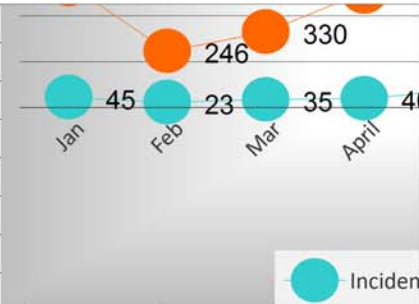
May

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4	5	3	4	0	0	0	0	0	27
71	140	68	57	0	0	0	0	0	521

Atlanta 2016



April	40	504							
May	80	845							
June	34	579							
July	55	683							
August	52	669							
September	45	636							
October	57	985							
November									
December									





East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
East	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Atlanta	2	3	6	4	5	3	4	9
Baltimore	0	0	0	0	2	1	2	0
Boston	0	2	0	0	4	0	1	1
Charlotte	5	3	3	5	8	2	0	6
Miami	2	1	1	0	3	0	1	1
New York	0	0	0	1	1	0	1	1
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	1	0	4	3	0	1
Tampa	1	3	1	1	2	1	3	2
Washington	2	0	3	3	2	0	0	2
Total	12	12	15	14	31	10	12	23
East	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	26	65	94	71	140	68	57	104
Baltimore	0	0	0	0	2	3	28	0
Boston	0	8	0	0	26	0	21	14
Charlotte	80	21	49	32	47	60	0	122
Miami	2	1	1	0	6	0	16	5
New York	0	0	0	3	1	0	9	8
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	3	0	45	68	0	5
Tampa	2	4	1	11	72	2	98	10
Washington	58	0	22	57	8	0	0	6
Total	168	99	170	174	347	201	229	274

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
Sep-16	Oct-16	Total Burglary							
5	8	49							
0	0	5							
2	1	11							
5	13	50							
0	0	9							
0	0	4							
0	0	0							
2	1	12							
2	4	20							
1	3	16							
17	30	176							
FS Sep 2016	FS Oct 2016	Total Firearms							
33	101	759							
0	0	33							
6	16	91							
37	387	835							
0	0	31							
0	0	21							
0	0	0							
13	26	160							
55	124	379							
10	35	196							
154	689	2505							

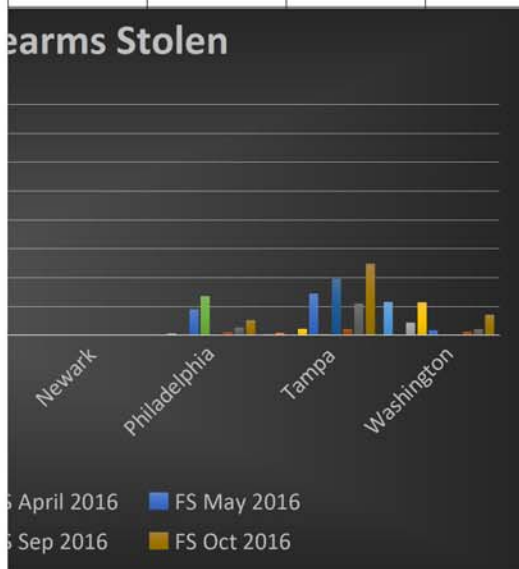
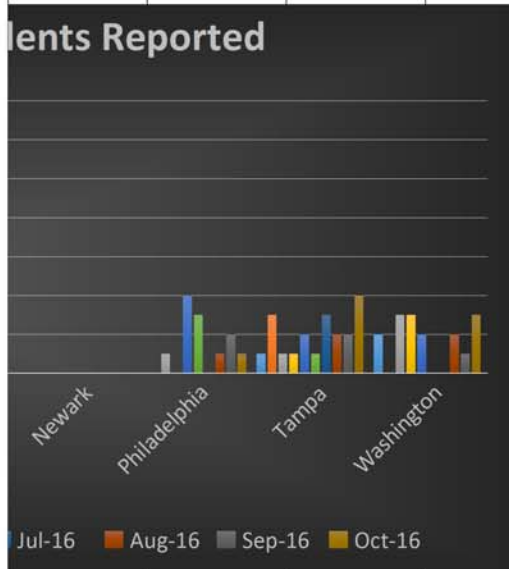
East - January - October Incid

City	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16
Atlanta	2	4	6	9	5	4
Baltimore	2	2	1	1	1	1
Boston	2	2	2	2	2	2
Charlotte	5	3	3	13	8	2
Miami	2	1	1	1	3	1
New York	1	1	1	1	1	1

East - January - October Fire

City	FS Jan 2016	FS Feb 2016	FS March 2016	FS Apr 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	20	80	100	150	100	80	100	100
Baltimore	10	10	10	10	10	10	10	10
Boston	10	10	10	10	10	10	10	10
Charlotte	80	100	100	400	100	100	100	100
Miami	10	10	10	10	10	10	10	10
New York	10	10	10	10	10	10	10	10

Oct-16	FS Oct 2016	Total Burglary	Total Firearms
8	101	49	759
0	0	5	33
1	16	11	91
13	387	50	835
0	0	9	31
0	0	4	21
0	0	0	0
1	26	12	160
4	124	20	379
3	35	16	196
30	689	176	2505

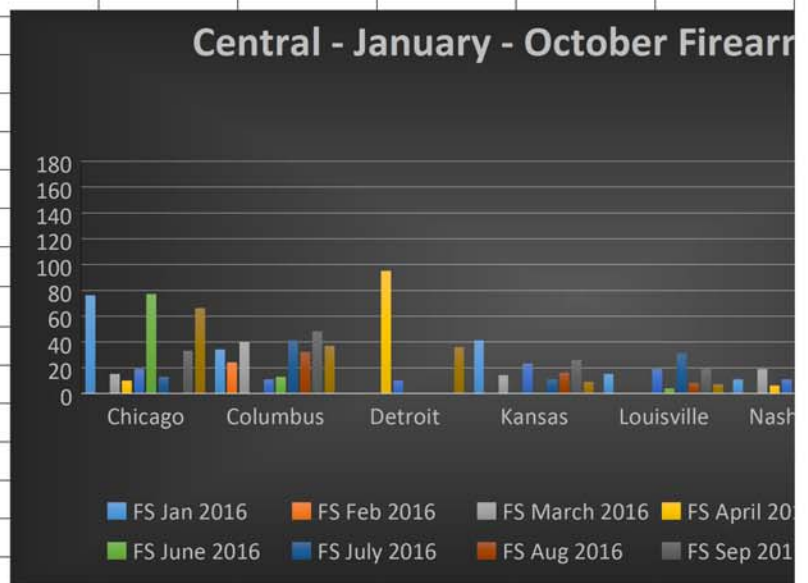
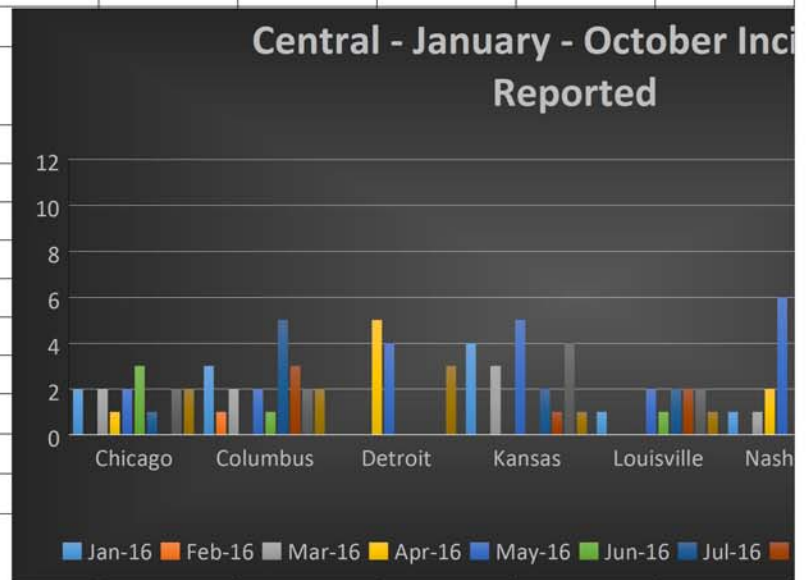


Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
Central	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Chicago	2	0	2	1	2	3	1	0
Columbus	3	1	2	0	2	1	5	3
Detroit	0	0	0	5	4	0	0	0
Kansas	4	0	3	0	5	0	2	1
Louisville	1	0	0	0	2	1	2	2
Nashville	1	0	1	2	6	0	7	1
New Orleans	3	2	2	4	11	3	5	4
St. Paul	3	0	0	1	0	0	5	4
Total	17	3	10	13	32	8	27	15
Central	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Chicago	76	0	15	10	19	77	13	0
Columbus	34	24	40	0	11	13	41	32
Detroit	0	0	0	95	10	0	0	0
Kansas	41	0	14	0	23	0	11	16
Louisville	15	0	0	0	19	4	31	8
Nashville	11	0	19	6	11	0	121	10
New Orleans	10	8	5	69	156	19	40	65
St. Paul	20	0	0	25	0	0	28	37
Total	207	32	93	205	249	113	285	168

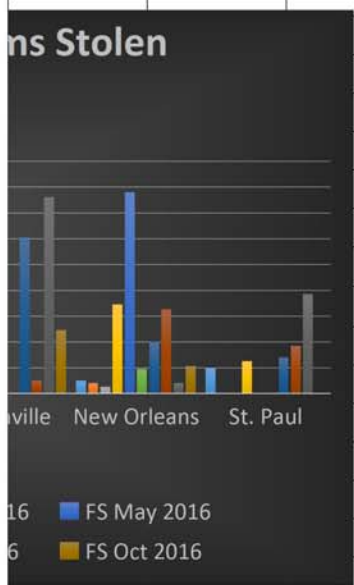
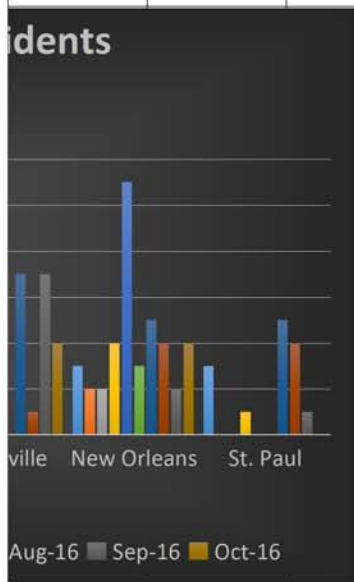
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363

Sep-16	Oct-16	Total Burglary
2	2	15
2	2	21
0	3	12
4	1	20
2	1	11
7	4	29
2	4	40
1	0	14
20	17	162

FS Sep 2016	FS Oct 2016	Total Firearms
33	66	309
48	37	280
0	36	141
26	9	140
19	7	103
152	49	379
8	21	401
77	0	187
363	225	1940



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	66	15	309
2	37	21	280
3	36	12	141
1	9	20	140
1	7	11	103
4	49	29	379
4	21	40	401
0	0	14	187
17	225	162	1940

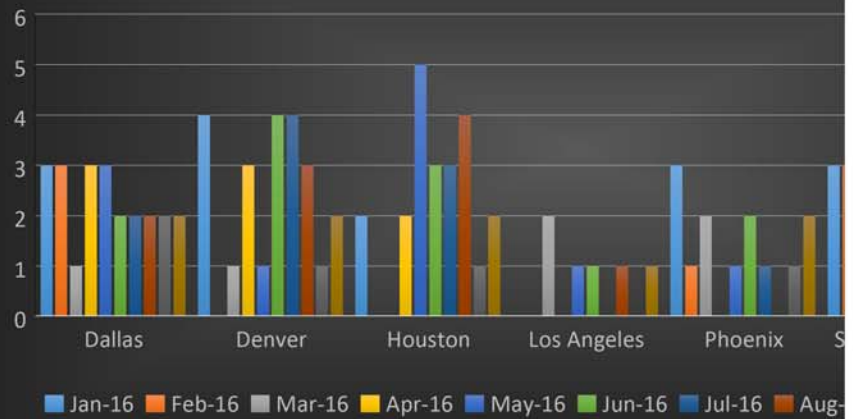


May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119

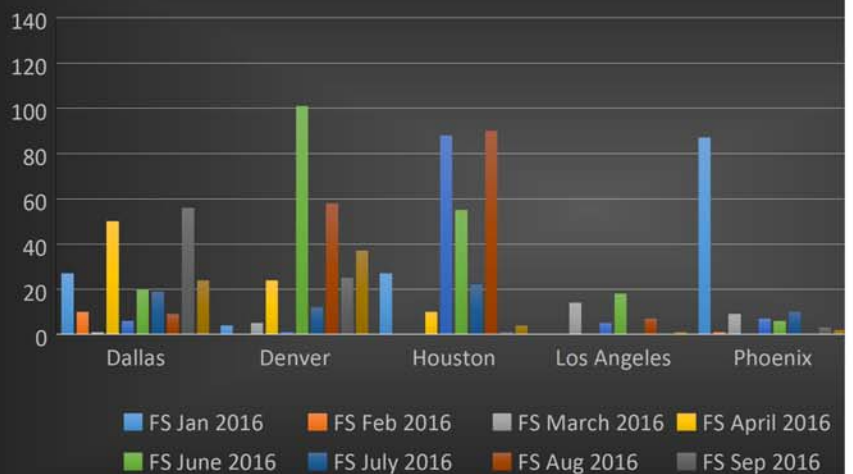
Sep-16	Oct-16	Total Burglary
2	2	23
1	2	23
1	2	22
0	1	6
1	2	13
2	1	26
1	0	15
8	10	128

FS Sep 2016	FS Oct 2016	Total Firearms
56	24	222
25	37	267
1	4	297
0	1	45
3	2	125
23	3	501
11	0	112
119	71	1569

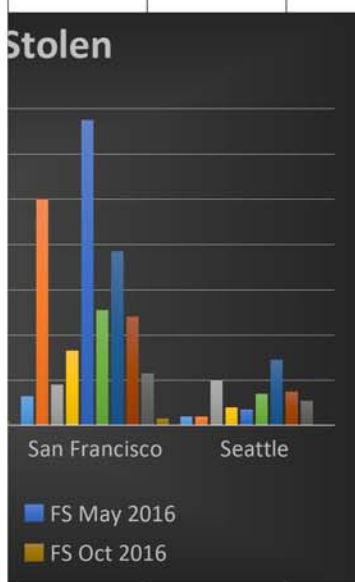
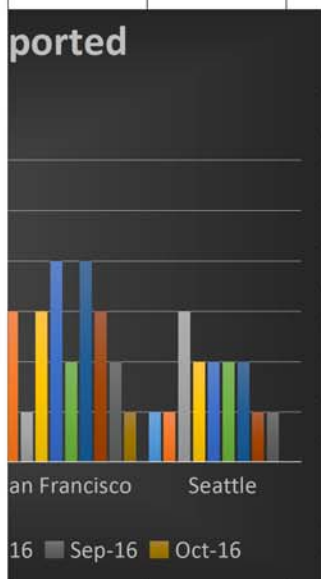
West - January - October Incidents Re



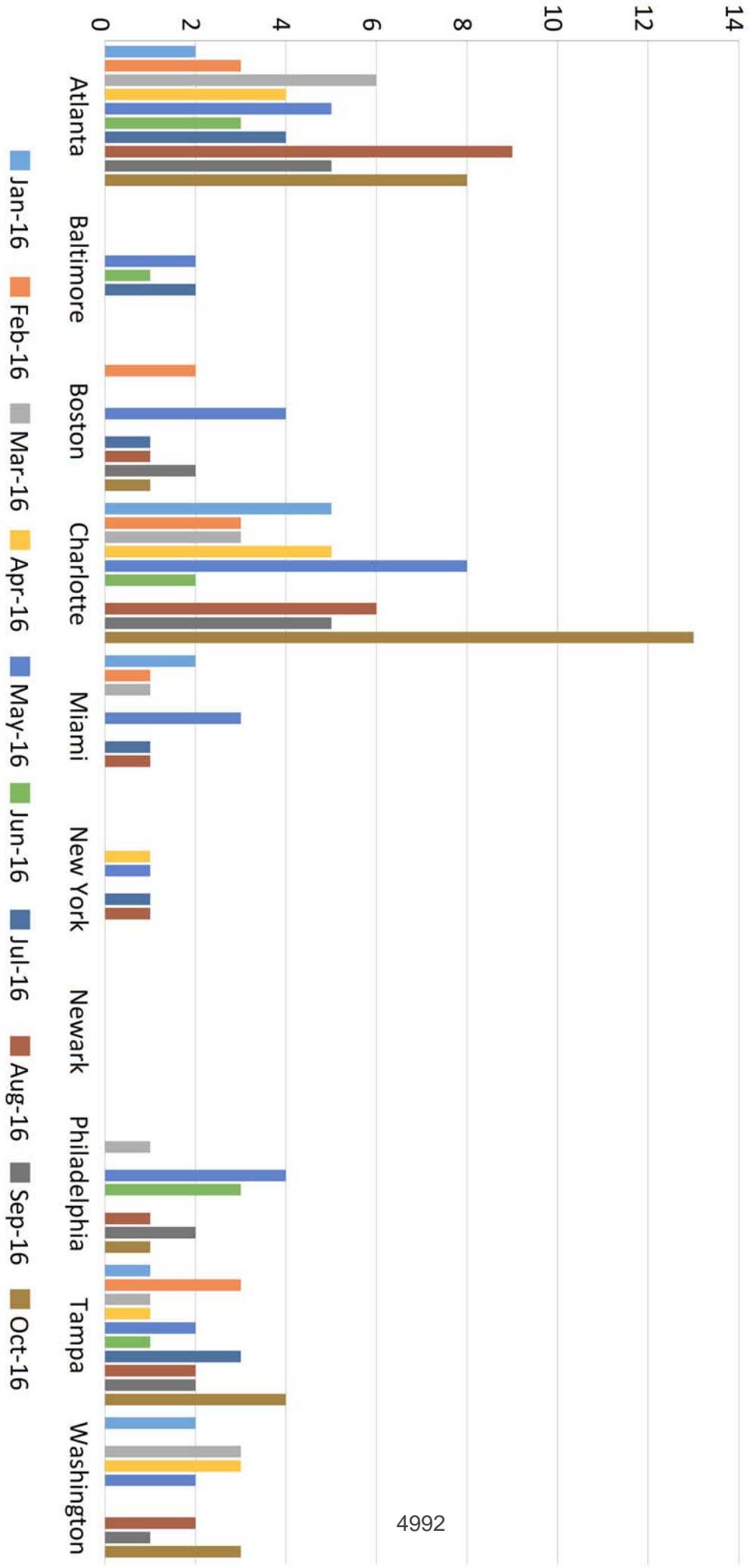
West - January - October Firearms S



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	24	23	222
2	37	23	267
2	4	22	297
1	1	6	45
2	2	13	125
1	3	26	501
0	0	15	112
10	71	128	1569



East - January - October Incidents Reported



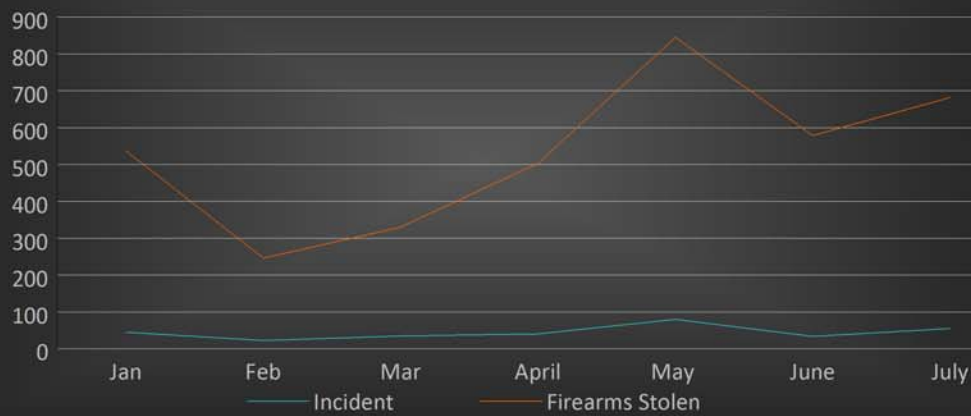
East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Dallas	3	27	3	10	1	1	3	50
Denver	4	4	0	0	1	5	3	24
Houston	2	27	0	0	0	0	2	10
Los Angeles	0	0	0	0	2	14	0	0
Phoenix	3	87	1	1	2	9	0	0
San Francisco	3	13	3	100	1	18	3	33
Seattle	1	4	1	4	3	20	2	8
Total	16	162	8	115	10	67	13	125
Totals	45	537	23	246	35	330	40	504
Month	Incident	Firearms Stolen						
Jan	45	537					FFL Burglary	
Feb	23	246						
Mar	35	330						

[illegible]

Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
8	101	49	759					
0	0	5	33					
1	16	11	91					900
13	387	50	835					
0	0	9	31					800
0	0	4	21					
0	0	0	0					700
1	26	12	160					
4	124	20	379					600
3	35	16	196					
30	689	176	2505					500
								400
Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
2	66	15	309					300
2	37	21	280					200
3	36	12	141					100
1	9	20	140					0
1	7	11	103					
4	49	29	379					
4	21	40	401					
0	0	14	187					
17	225	162	1940					
Oct-16	FS Oct 2016	Total Burglary	Total Firearms		Atlanta	Jan	Feb	Mar
2	24	23	222		Incidents	2	3	6
2	37	23	267		Firearms	26	65	94
2	4	22	297					
1	1	6	45					
2	2	13	125					
1	3	26	501					
0	0	15	112					
10	71	128	1569					
57	985	466	6,014					

FFL Burglaries Jan - Jun 2016

FFL Burglaries Jan - Jul 2016



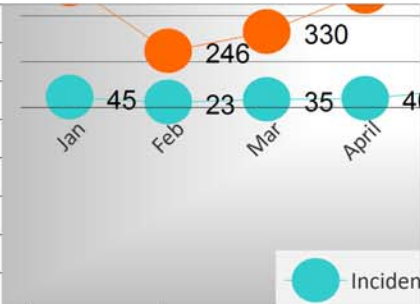
May

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4	5	3	4	0	0	0	0	0	27
71	140	68	57	0	0	0	0	0	521

Atlanta 2016



April	40	504						
May	80	845						
June	34	579						
July	55	683						
August	52	669						
September	45	636						
October	57	985						
November								
December								





East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
East	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Atlanta	2	3	6	4	5	3	4	9
Baltimore	0	0	0	0	2	1	2	0
Boston	0	2	0	0	4	0	1	1
Charlotte	5	3	3	5	8	2	0	6
Miami	2	1	1	0	3	0	1	1
New York	0	0	0	1	1	0	1	1
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	1	0	4	3	0	1
Tampa	1	3	1	1	2	1	3	2
Washington	2	0	3	3	2	0	0	2
Total	12	12	15	14	31	10	12	23
East	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	26	65	94	71	140	68	57	104
Baltimore	0	0	0	0	2	3	28	0
Boston	0	8	0	0	26	0	21	14
Charlotte	80	21	49	32	47	60	0	122
Miami	2	1	1	0	6	0	16	5
New York	0	0	0	3	1	0	9	8
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	3	0	45	68	0	5
Tampa	2	4	1	11	72	2	98	10
Washington	58	0	22	57	8	0	0	6
Total	168	99	170	174	347	201	229	274

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
Sep-16	Oct-16	Total Burglary							
5	8	49							
0	0	5							
2	1	11							
5	13	50							
0	0	9							
0	0	4							
0	0	0							
2	1	12							
2	4	20							
1	3	16							
17	30	176							
FS Sep 2016	FS Oct 2016	Total Firearms							
33	101	759							
0	0	33							
6	16	91							
37	387	835							
0	0	31							
0	0	21							
0	0	0							
13	26	160							
55	124	379							
10	35	196							
154	689	2505							

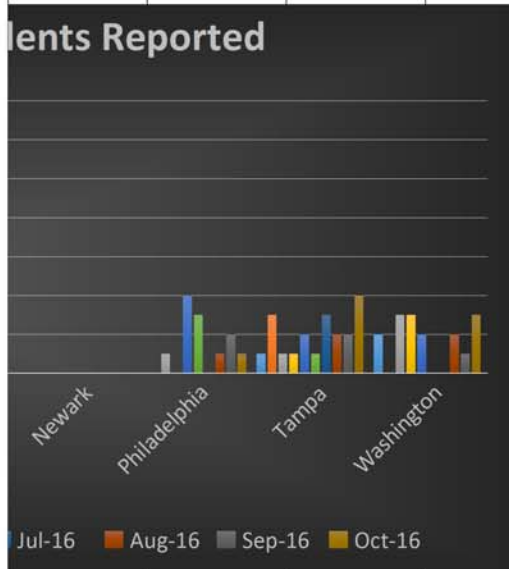
East - January - October Inci

City	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16
Atlanta	2	4	6	5	4	3
Baltimore	2	2	2	1	1	1
Boston	2	2	2	2	2	2
Charlotte	5	3	3	5	8	2
Miami	2	1	1	1	3	1
New York	1	1	1	1	1	1

East - January - October Fire

City	FS Jan 2016	FS Feb 2016	FS March 2016	FS Apr 2016	FS May 2016	FS June 2016
Atlanta	20	80	100	100	150	100
Baltimore	10	10	10	10	10	10
Boston	10	10	10	10	10	10
Charlotte	50	50	50	50	100	50
Miami	10	10	10	10	10	10
New York	10	10	10	10	10	10

Oct-16	FS Oct 2016	Total Burglary	Total Firearms
8	101	49	759
0	0	5	33
1	16	11	91
13	387	50	835
0	0	9	31
0	0	4	21
0	0	0	0
1	26	12	160
4	124	20	379
3	35	16	196
30	689	176	2505

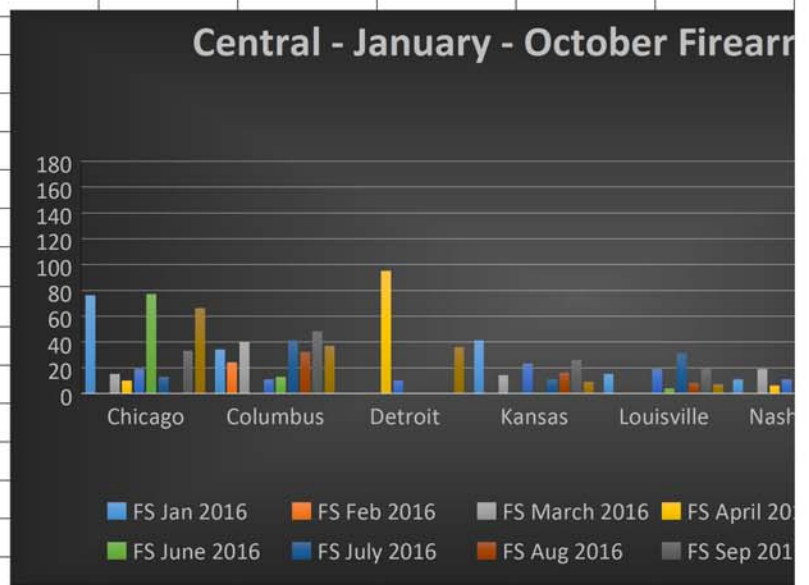
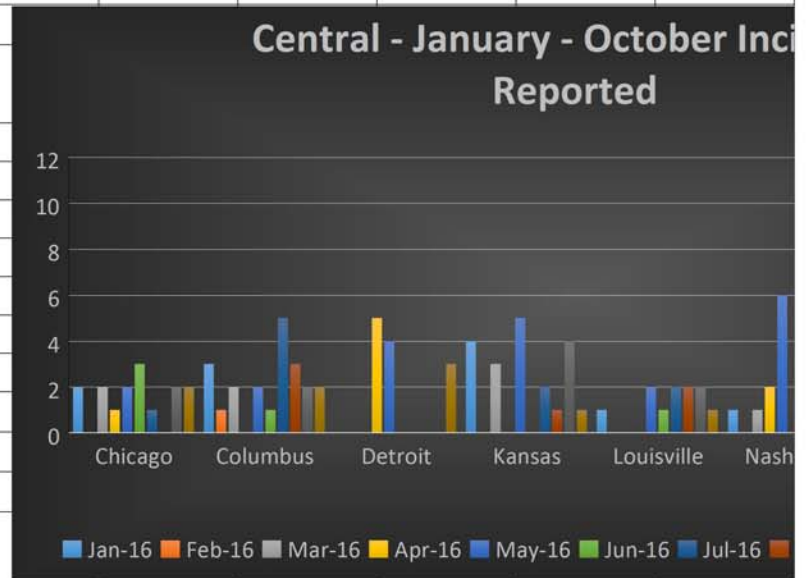


Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
Central	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Chicago	2	0	2	1	2	3	1	0
Columbus	3	1	2	0	2	1	5	3
Detroit	0	0	0	5	4	0	0	0
Kansas	4	0	3	0	5	0	2	1
Louisville	1	0	0	0	2	1	2	2
Nashville	1	0	1	2	6	0	7	1
New Orleans	3	2	2	4	11	3	5	4
St. Paul	3	0	0	1	0	0	5	4
Total	17	3	10	13	32	8	27	15
Central	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Chicago	76	0	15	10	19	77	13	0
Columbus	34	24	40	0	11	13	41	32
Detroit	0	0	0	95	10	0	0	0
Kansas	41	0	14	0	23	0	11	16
Louisville	15	0	0	0	19	4	31	8
Nashville	11	0	19	6	11	0	121	10
New Orleans	10	8	5	69	156	19	40	65
St. Paul	20	0	0	25	0	0	28	37
Total	207	32	93	205	249	113	285	168

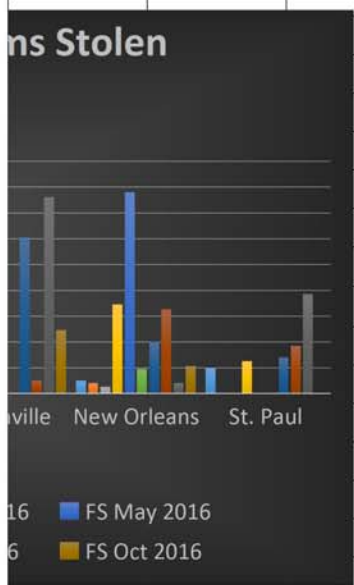
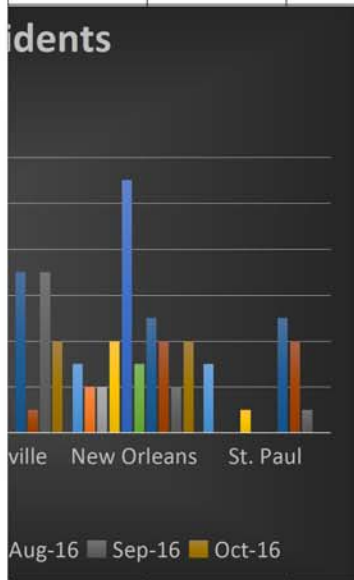
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363

Sep-16	Oct-16	Total Burglary
2	2	15
2	2	21
0	3	12
4	1	20
2	1	11
7	4	29
2	4	40
1	0	14
20	17	162

FS Sep 2016	FS Oct 2016	Total Firearms
33	66	309
48	37	280
0	36	141
26	9	140
19	7	103
152	49	379
8	21	401
77	0	187
363	225	1940



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	66	15	309
2	37	21	280
3	36	12	141
1	9	20	140
1	7	11	103
4	49	29	379
4	21	40	401
0	0	14	187
17	225	162	1940

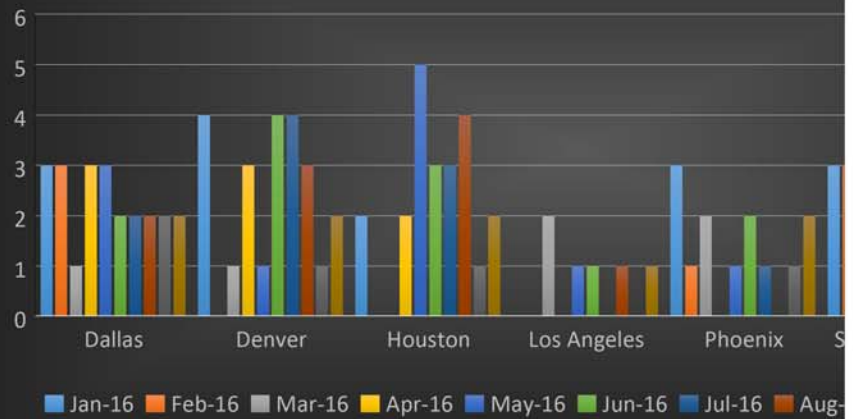


May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119

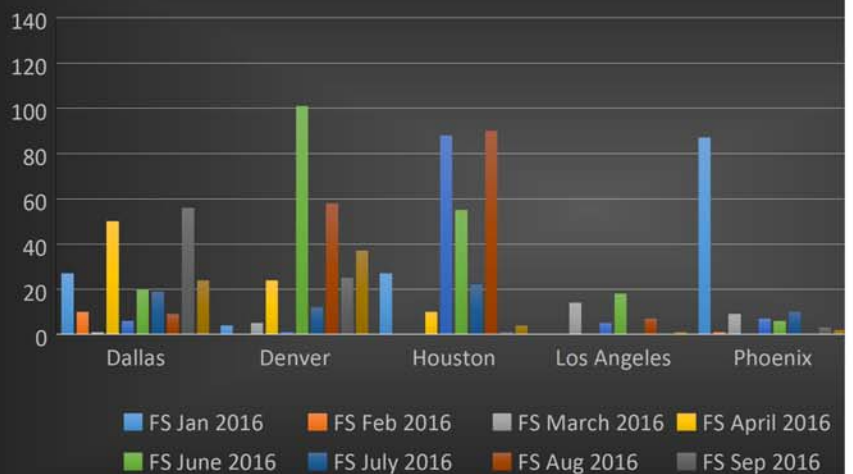
Sep-16	Oct-16	Total Burglary
2	2	23
1	2	23
1	2	22
0	1	6
1	2	13
2	1	26
1	0	15
8	10	128

FS Sep 2016	FS Oct 2016	Total Firearms
56	24	222
25	37	267
1	4	297
0	1	45
3	2	125
23	3	501
11	0	112
119	71	1569

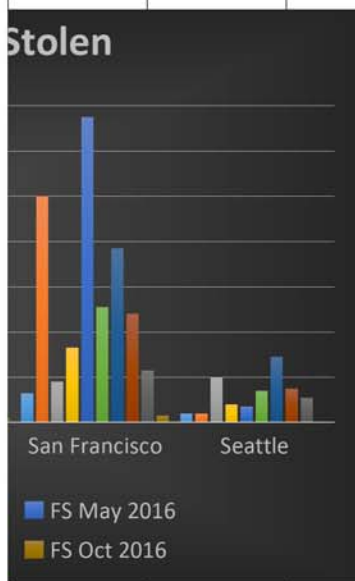
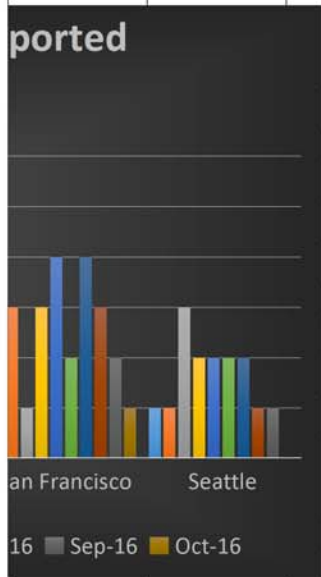
West - January - October Incidents Re



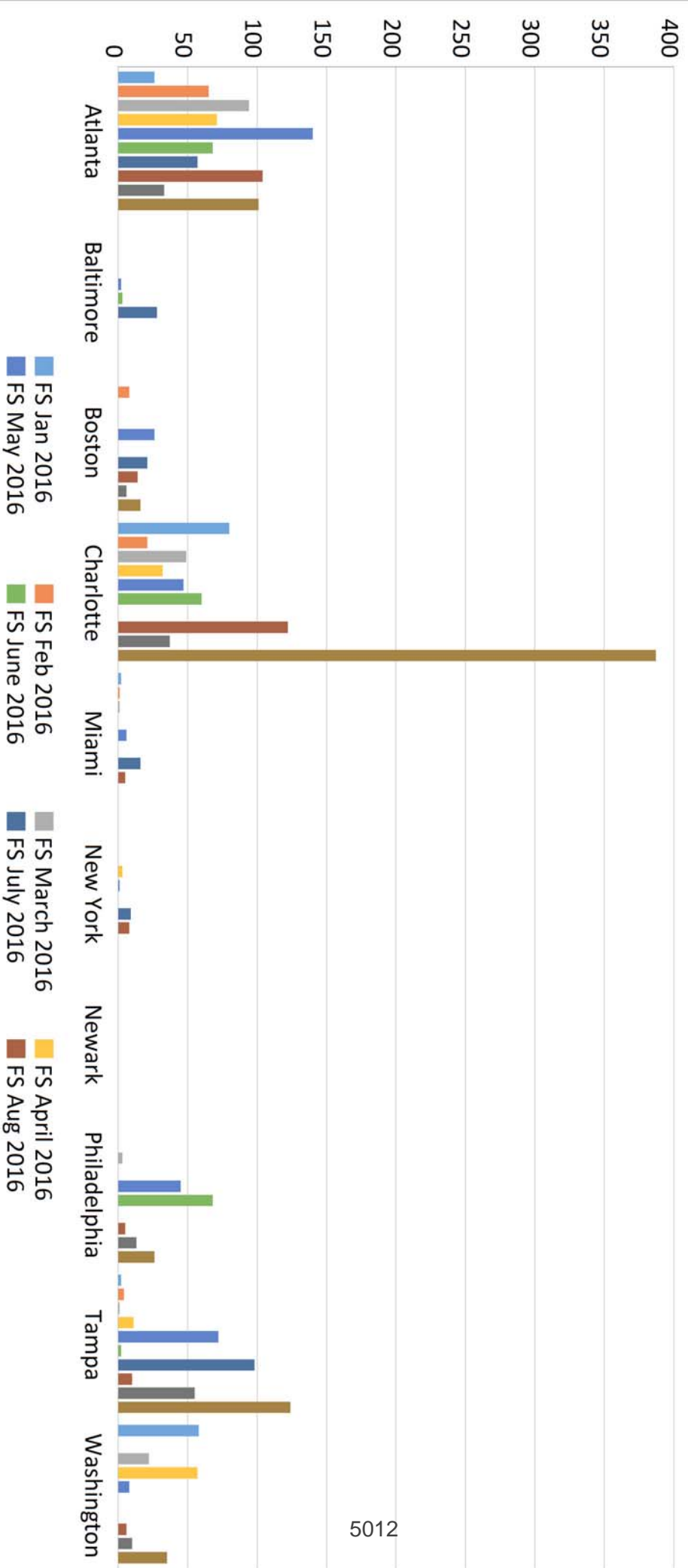
West - January - October Firearms S



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	24	23	222
2	37	23	267
2	4	22	297
1	1	6	45
2	2	13	125
1	3	26	501
0	0	15	112
10	71	128	1569



East - January - October Firearms Stolen



East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Dallas	3	27	3	10	1	1	3	50
Denver	4	4	0	0	1	5	3	24
Houston	2	27	0	0	0	0	2	10
Los Angeles	0	0	0	0	2	14	0	0
Phoenix	3	87	1	1	2	9	0	0
San Francisco	3	13	3	100	1	18	3	33
Seattle	1	4	1	4	3	20	2	8
Total	16	162	8	115	10	67	13	125
Totals	45	537	23	246	35	330	40	504
Month	Incident	Firearms Stolen						
Jan	45	537						
Feb	23	246						
Mar	35	330						

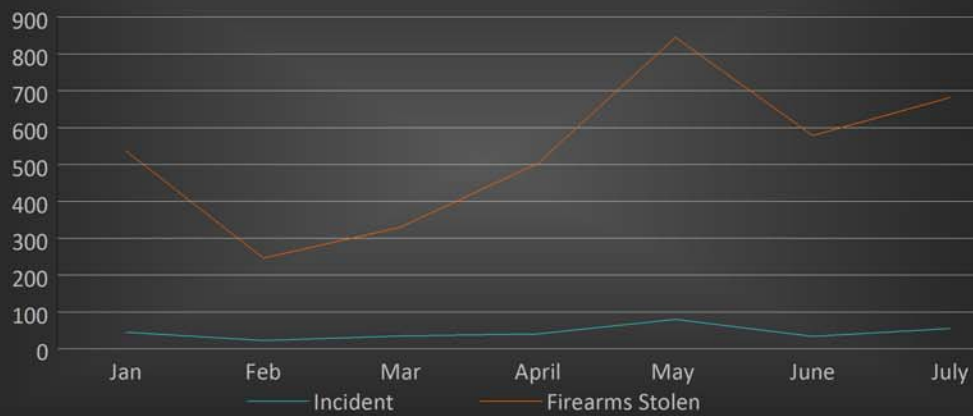
FFL Burgla

[illegible]

Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
8	101	49	759					
0	0	5	33					
1	16	11	91					900
13	387	50	835					
0	0	9	31					800
0	0	4	21					
0	0	0	0					700
1	26	12	160					
4	124	20	379					600
3	35	16	196					
30	689	176	2505					500
								400
Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
2	66	15	309					300
2	37	21	280					200
3	36	12	141					100
1	9	20	140					0
1	7	11	103					
4	49	29	379					
4	21	40	401					
0	0	14	187					
17	225	162	1940					
Oct-16	FS Oct 2016	Total Burglary	Total Firearms		Atlanta	Jan	Feb	Mar
2	24	23	222		Incidents	2	3	6
2	37	23	267		Firearms	26	65	94
2	4	22	297					
1	1	6	45					
2	2	13	125					
1	3	26	501					
0	0	15	112					
10	71	128	1569					
57	985	466	6,014					

FFL Burglaries Jan - Jun 2016

FFL Burglaries Jan - Jul 2016



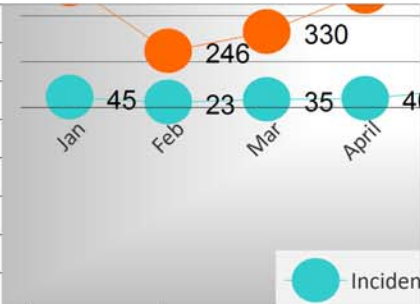
May

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4	5	3	4	0	0	0	0	0	27
71	140	68	57	0	0	0	0	0	521

Atlanta 2016



April	40	504						
May	80	845						
June	34	579						
July	55	683						
August	52	669						
September	45	636						
October	57	985						
November								
December								





East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
East	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Atlanta	2	3	6	4	5	3	4	9
Baltimore	0	0	0	0	2	1	2	0
Boston	0	2	0	0	4	0	1	1
Charlotte	5	3	3	5	8	2	0	6
Miami	2	1	1	0	3	0	1	1
New York	0	0	0	1	1	0	1	1
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	1	0	4	3	0	1
Tampa	1	3	1	1	2	1	3	2
Washington	2	0	3	3	2	0	0	2
Total	12	12	15	14	31	10	12	23
East	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	26	65	94	71	140	68	57	104
Baltimore	0	0	0	0	2	3	28	0
Boston	0	8	0	0	26	0	21	14
Charlotte	80	21	49	32	47	60	0	122
Miami	2	1	1	0	6	0	16	5
New York	0	0	0	3	1	0	9	8
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	3	0	45	68	0	5
Tampa	2	4	1	11	72	2	98	10
Washington	58	0	22	57	8	0	0	6
Total	168	99	170	174	347	201	229	274

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
Sep-16	Oct-16	Total Burglary							
5	8	49							
0	0	5							
2	1	11							
5	13	50							
0	0	9							
0	0	4							
0	0	0							
2	1	12							
2	4	20							
1	3	16							
17	30	176							
FS Sep 2016	FS Oct 2016	Total Firearms							
33	101	759							
0	0	33							
6	16	91							
37	387	835							
0	0	31							
0	0	21							
0	0	0							
13	26	160							
55	124	379							
10	35	196							
154	689	2505							

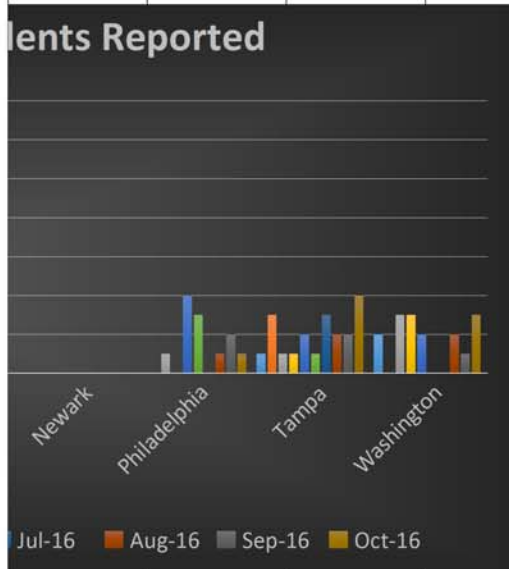
East - January - October Incid

Legend: Jan-16, Feb-16, Mar-16, Apr-16, May-16, Jun-16

East - January - October Fire

Legend: FS Jan 2016, FS Feb 2016, FS March 2016, FS Apr 2016, FS May 2016, FS June 2016, FS July 2016, FS Aug 2016

Oct-16	FS Oct 2016	Total Burglary	Total Firearms
8	101	49	759
0	0	5	33
1	16	11	91
13	387	50	835
0	0	9	31
0	0	4	21
0	0	0	0
1	26	12	160
4	124	20	379
3	35	16	196
30	689	176	2505

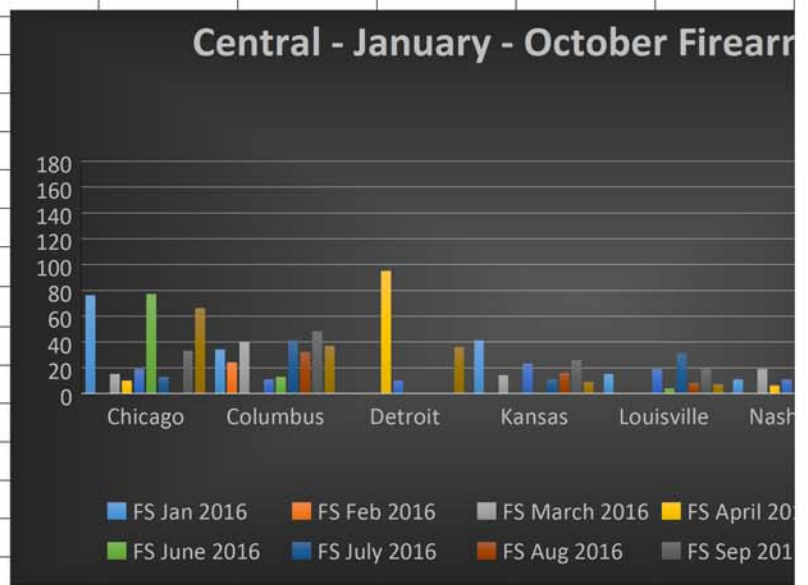
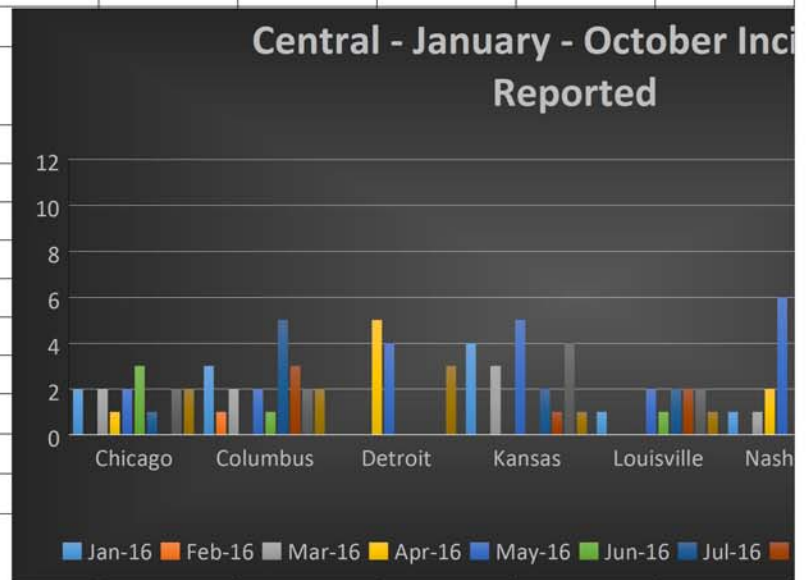


Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
Central	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Chicago	2	0	2	1	2	3	1	0
Columbus	3	1	2	0	2	1	5	3
Detroit	0	0	0	5	4	0	0	0
Kansas	4	0	3	0	5	0	2	1
Louisville	1	0	0	0	2	1	2	2
Nashville	1	0	1	2	6	0	7	1
New Orleans	3	2	2	4	11	3	5	4
St. Paul	3	0	0	1	0	0	5	4
Total	17	3	10	13	32	8	27	15
Central	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Chicago	76	0	15	10	19	77	13	0
Columbus	34	24	40	0	11	13	41	32
Detroit	0	0	0	95	10	0	0	0
Kansas	41	0	14	0	23	0	11	16
Louisville	15	0	0	0	19	4	31	8
Nashville	11	0	19	6	11	0	121	10
New Orleans	10	8	5	69	156	19	40	65
St. Paul	20	0	0	25	0	0	28	37
Total	207	32	93	205	249	113	285	168

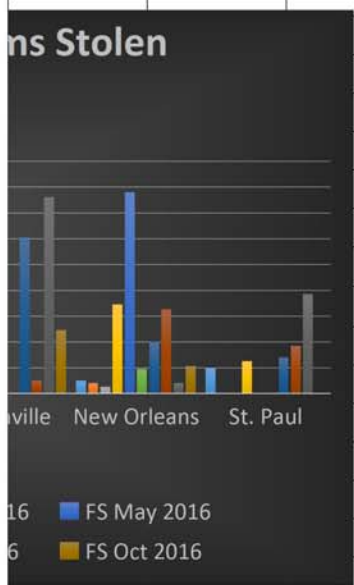
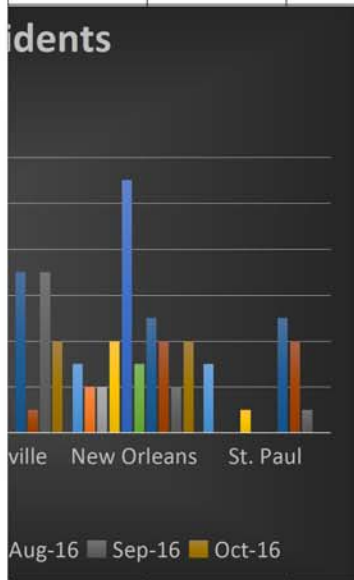
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363

Sep-16	Oct-16	Total Burglary
2	2	15
2	2	21
0	3	12
4	1	20
2	1	11
7	4	29
2	4	40
1	0	14
20	17	162

FS Sep 2016	FS Oct 2016	Total Firearms
33	66	309
48	37	280
0	36	141
26	9	140
19	7	103
152	49	379
8	21	401
77	0	187
363	225	1940



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	66	15	309
2	37	21	280
3	36	12	141
1	9	20	140
1	7	11	103
4	49	29	379
4	21	40	401
0	0	14	187
17	225	162	1940

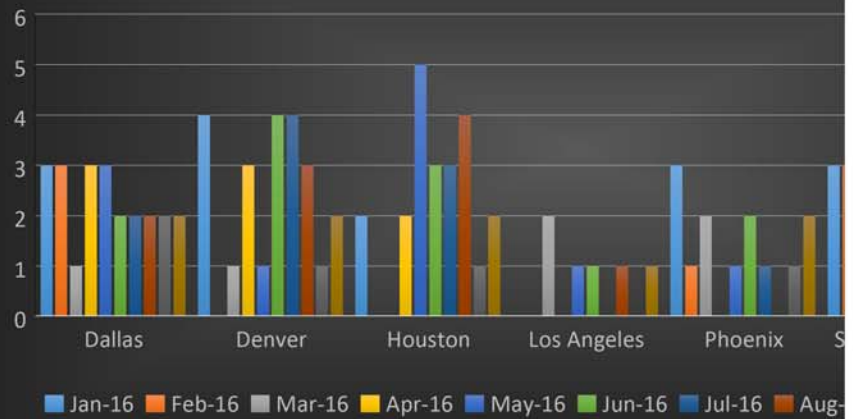


May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119

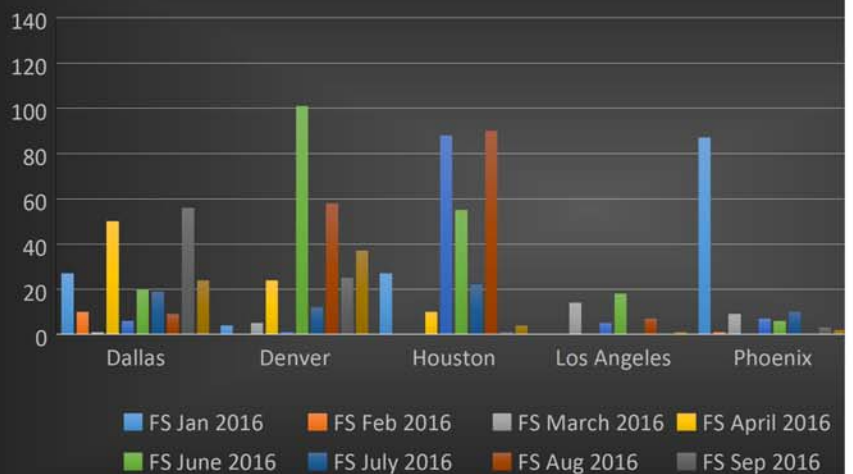
Sep-16	Oct-16	Total Burglary
2	2	23
1	2	23
1	2	22
0	1	6
1	2	13
2	1	26
1	0	15
8	10	128

FS Sep 2016	FS Oct 2016	Total Firearms
56	24	222
25	37	267
1	4	297
0	1	45
3	2	125
23	3	501
11	0	112
119	71	1569

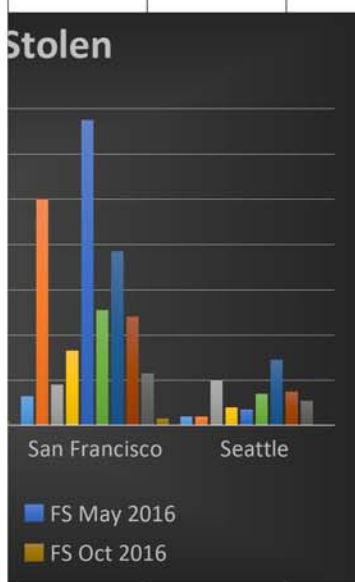
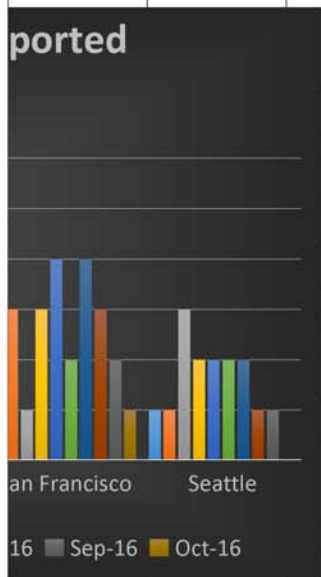
West - January - October Incidents Re



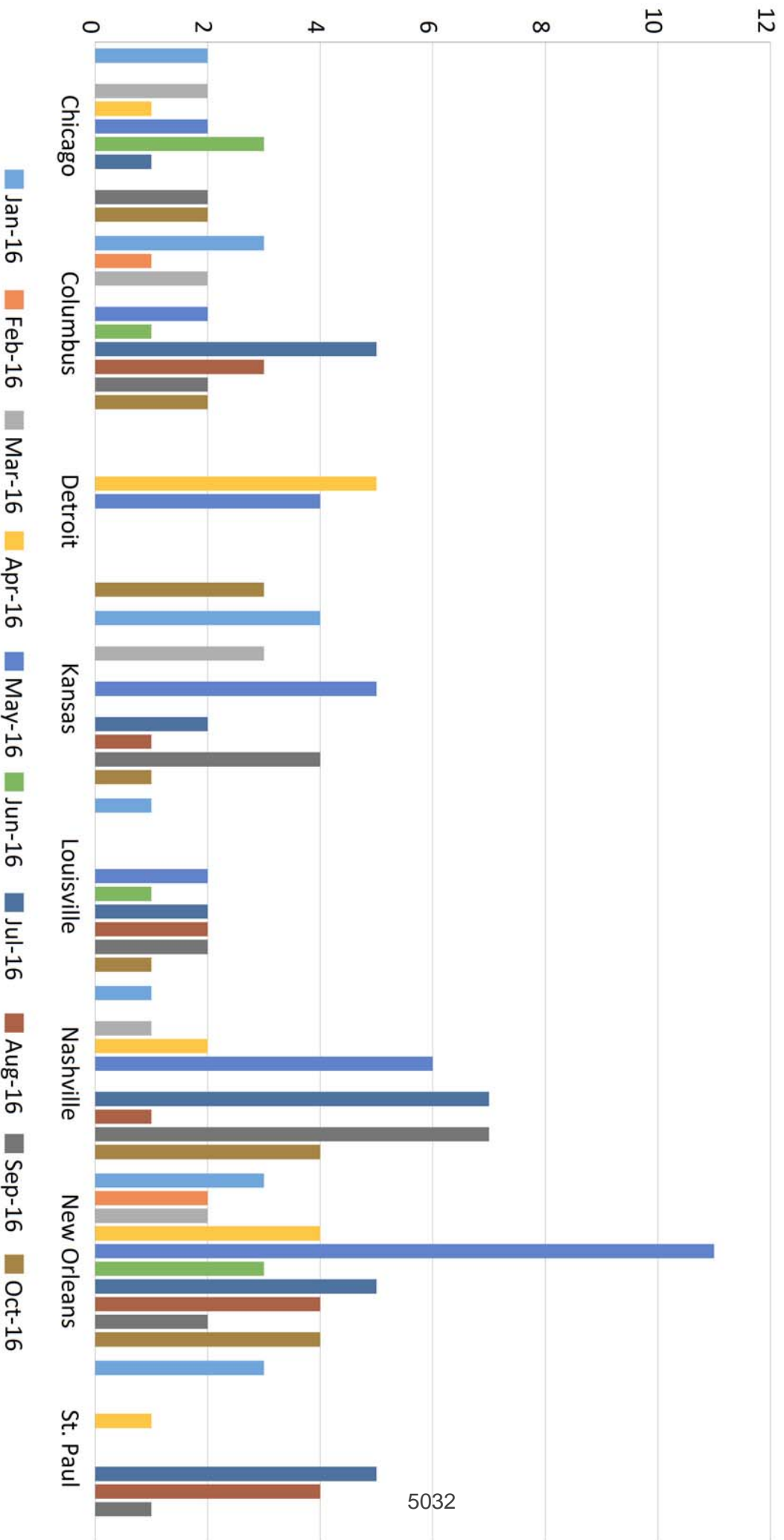
West - January - October Firearms S



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	24	23	222
2	37	23	267
2	4	22	297
1	1	6	45
2	2	13	125
1	3	26	501
0	0	15	112
10	71	128	1569



Central - January - October Incidents Reported



East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Dallas	3	27	3	10	1	1	3	50
Denver	4	4	0	0	1	5	3	24
Houston	2	27	0	0	0	0	2	10
Los Angeles	0	0	0	0	2	14	0	0
Phoenix	3	87	1	1	2	9	0	0
San Francisco	3	13	3	100	1	18	3	33
Seattle	1	4	1	4	3	20	2	8
Total	16	162	8	115	10	67	13	125
Totals	45	537	23	246	35	330	40	504
Month	Incident	Firearms Stolen						
Jan	45	537						
Feb	23	246						
Mar	35	330						

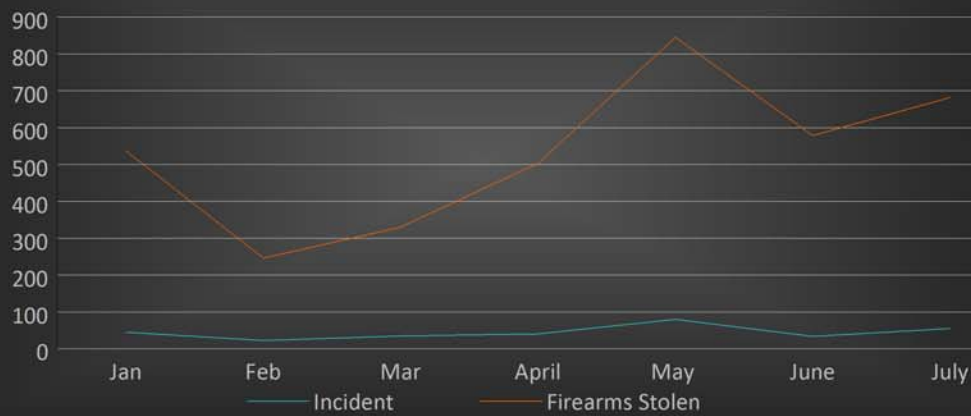
FFL Burgla

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119
80	845	34	579	55	683	52	669	45	636
ries Jan - Oct 2016									

Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
8	101	49	759					
0	0	5	33					
1	16	11	91					900
13	387	50	835					
0	0	9	31					800
0	0	4	21					
0	0	0	0					700
1	26	12	160					
4	124	20	379					600
3	35	16	196					
30	689	176	2505					500
								400
Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
2	66	15	309					300
2	37	21	280					200
3	36	12	141					100
1	9	20	140					0
1	7	11	103					
4	49	29	379					
4	21	40	401					
0	0	14	187					
17	225	162	1940					
Oct-16	FS Oct 2016	Total Burglary	Total Firearms		Atlanta	Jan	Feb	Mar
2	24	23	222		Incidents	2	3	6
2	37	23	267		Firearms	26	65	94
2	4	22	297					
1	1	6	45					
2	2	13	125					
1	3	26	501					
0	0	15	112					
10	71	128	1569					
57	985	466	6,014					

FFL Burglaries Jan - Jun 2016

FFL Burglaries Jan - Jul 2016



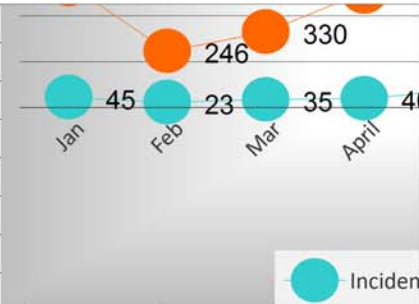
May

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4	5	3	4	0	0	0	0	0	27
71	140	68	57	0	0	0	0	0	521

Atlanta 2016



April	40	504							
May	80	845							
June	34	579							
July	55	683							
August	52	669							
September	45	636							
October	57	985							
November									
December									





East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
East	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Atlanta	2	3	6	4	5	3	4	9
Baltimore	0	0	0	0	2	1	2	0
Boston	0	2	0	0	4	0	1	1
Charlotte	5	3	3	5	8	2	0	6
Miami	2	1	1	0	3	0	1	1
New York	0	0	0	1	1	0	1	1
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	1	0	4	3	0	1
Tampa	1	3	1	1	2	1	3	2
Washington	2	0	3	3	2	0	0	2
Total	12	12	15	14	31	10	12	23
East	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	26	65	94	71	140	68	57	104
Baltimore	0	0	0	0	2	3	28	0
Boston	0	8	0	0	26	0	21	14
Charlotte	80	21	49	32	47	60	0	122
Miami	2	1	1	0	6	0	16	5
New York	0	0	0	3	1	0	9	8
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	3	0	45	68	0	5
Tampa	2	4	1	11	72	2	98	10
Washington	58	0	22	57	8	0	0	6
Total	168	99	170	174	347	201	229	274

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
Sep-16	Oct-16	Total Burglary							
5	8	49							
0	0	5							
2	1	11							
5	13	50							
0	0	9							
0	0	4							
0	0	0							
2	1	12							
2	4	20							
1	3	16							
17	30	176							
FS Sep 2016	FS Oct 2016	Total Firearms							
33	101	759							
0	0	33							
6	16	91							
37	387	835							
0	0	31							
0	0	21							
0	0	0							
13	26	160							
55	124	379							
10	35	196							
154	689	2505							

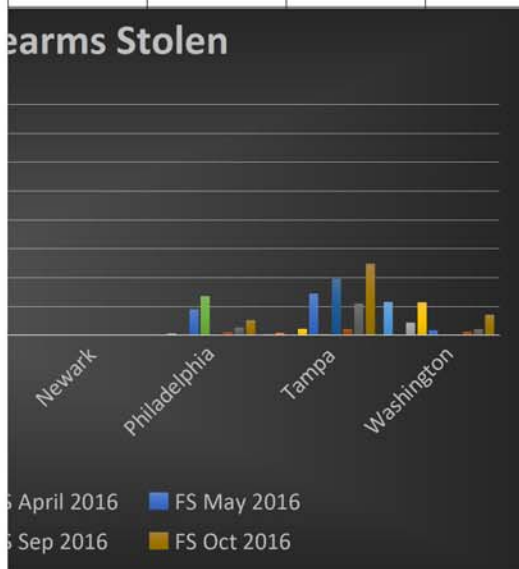
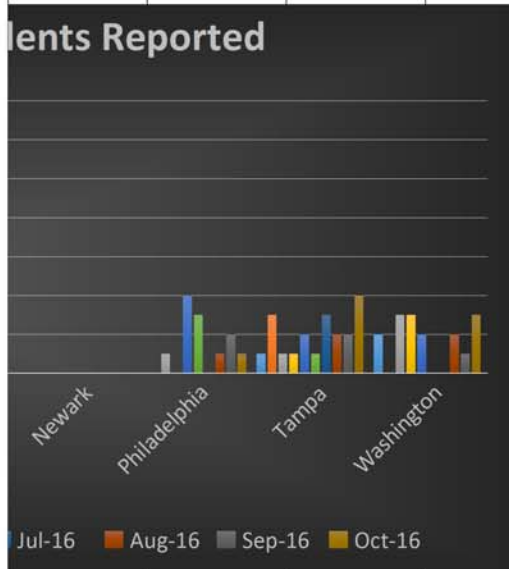
East - January - October Incid

Legend: Jan-16, Feb-16, Mar-16, Apr-16, May-16, Jun-16

East - January - October Fire

Legend: FS Jan 2016, FS Feb 2016, FS March 2016, FS April 2016, FS May 2016, FS June 2016, FS July 2016, FS Aug 2016

Oct-16	FS Oct 2016	Total Burglary	Total Firearms
8	101	49	759
0	0	5	33
1	16	11	91
13	387	50	835
0	0	9	31
0	0	4	21
0	0	0	0
1	26	12	160
4	124	20	379
3	35	16	196
30	689	176	2505

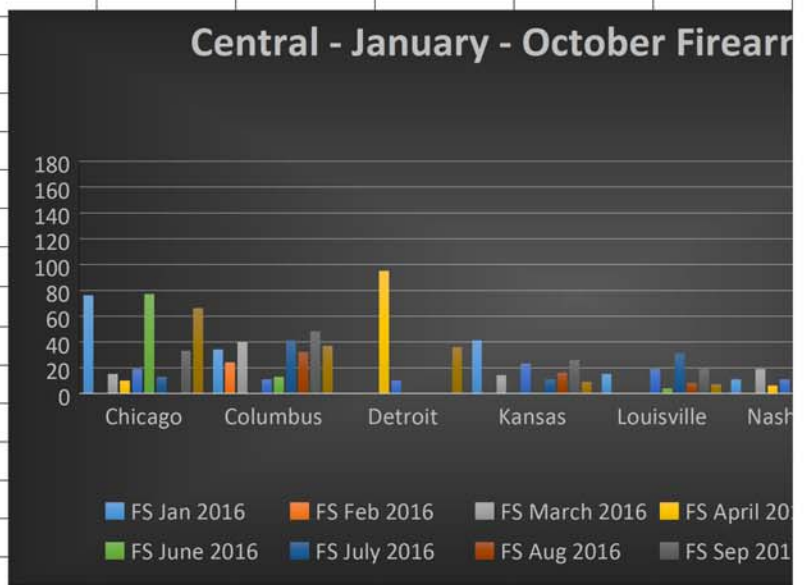
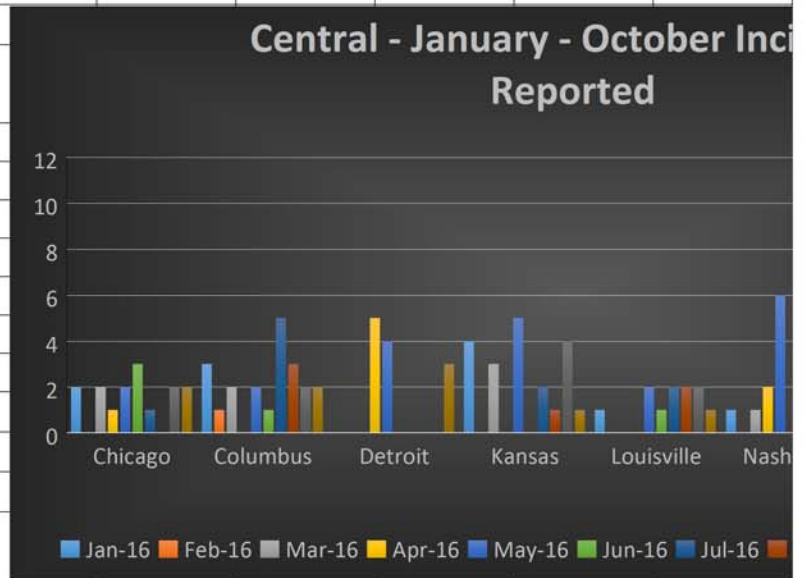


Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
Central	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Chicago	2	0	2	1	2	3	1	0
Columbus	3	1	2	0	2	1	5	3
Detroit	0	0	0	5	4	0	0	0
Kansas	4	0	3	0	5	0	2	1
Louisville	1	0	0	0	2	1	2	2
Nashville	1	0	1	2	6	0	7	1
New Orleans	3	2	2	4	11	3	5	4
St. Paul	3	0	0	1	0	0	5	4
Total	17	3	10	13	32	8	27	15
Central	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Chicago	76	0	15	10	19	77	13	0
Columbus	34	24	40	0	11	13	41	32
Detroit	0	0	0	95	10	0	0	0
Kansas	41	0	14	0	23	0	11	16
Louisville	15	0	0	0	19	4	31	8
Nashville	11	0	19	6	11	0	121	10
New Orleans	10	8	5	69	156	19	40	65
St. Paul	20	0	0	25	0	0	28	37
Total	207	32	93	205	249	113	285	168

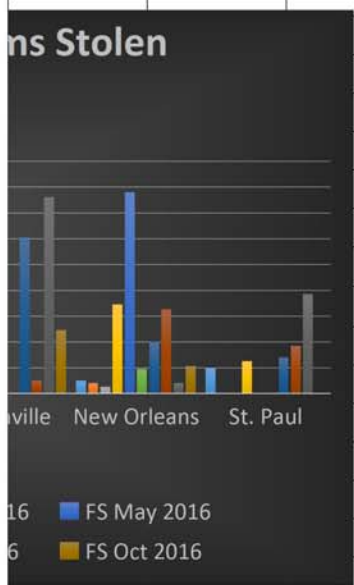
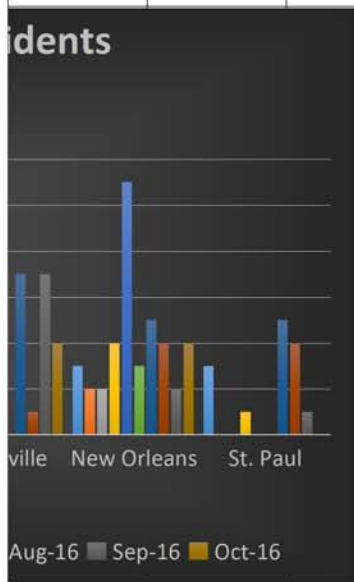
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363

Sep-16	Oct-16	Total Burglary
2	2	15
2	2	21
0	3	12
4	1	20
2	1	11
7	4	29
2	4	40
1	0	14
20	17	162

FS Sep 2016	FS Oct 2016	Total Firearms
33	66	309
48	37	280
0	36	141
26	9	140
19	7	103
152	49	379
8	21	401
77	0	187
363	225	1940



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	66	15	309
2	37	21	280
3	36	12	141
1	9	20	140
1	7	11	103
4	49	29	379
4	21	40	401
0	0	14	187
17	225	162	1940

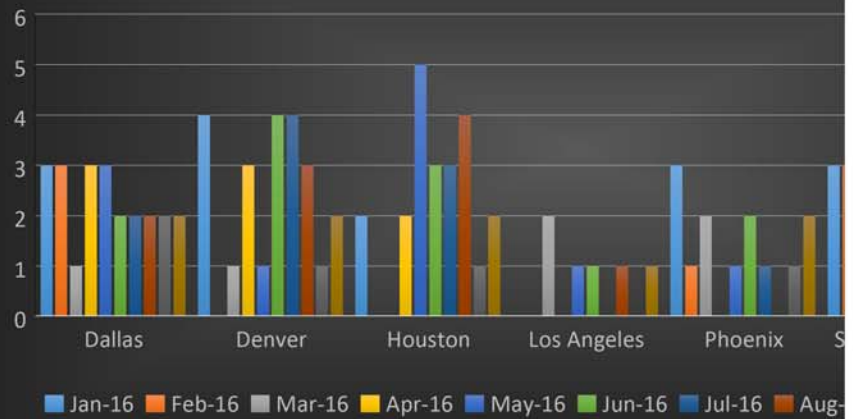


May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119

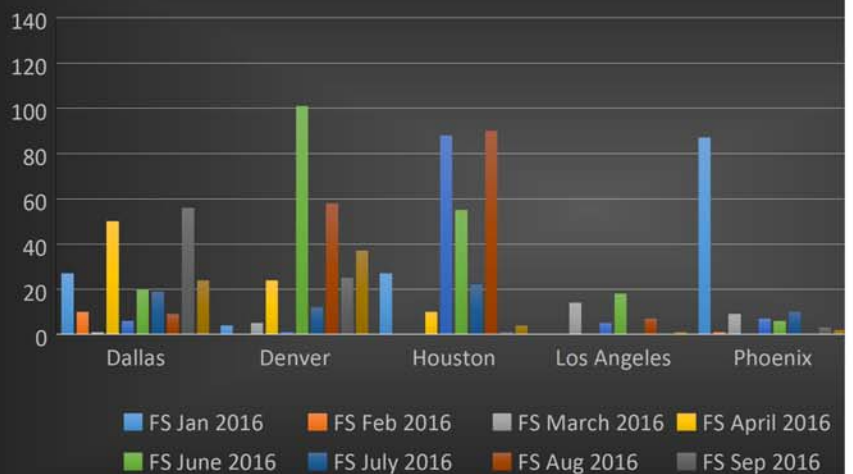
Sep-16	Oct-16	Total Burglary
2	2	23
1	2	23
1	2	22
0	1	6
1	2	13
2	1	26
1	0	15
8	10	128

FS Sep 2016	FS Oct 2016	Total Firearms
56	24	222
25	37	267
1	4	297
0	1	45
3	2	125
23	3	501
11	0	112
119	71	1569

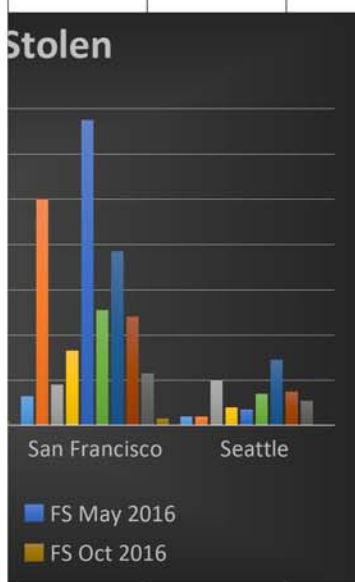
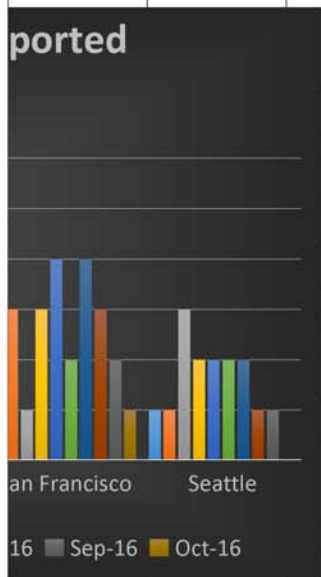
West - January - October Incidents Re



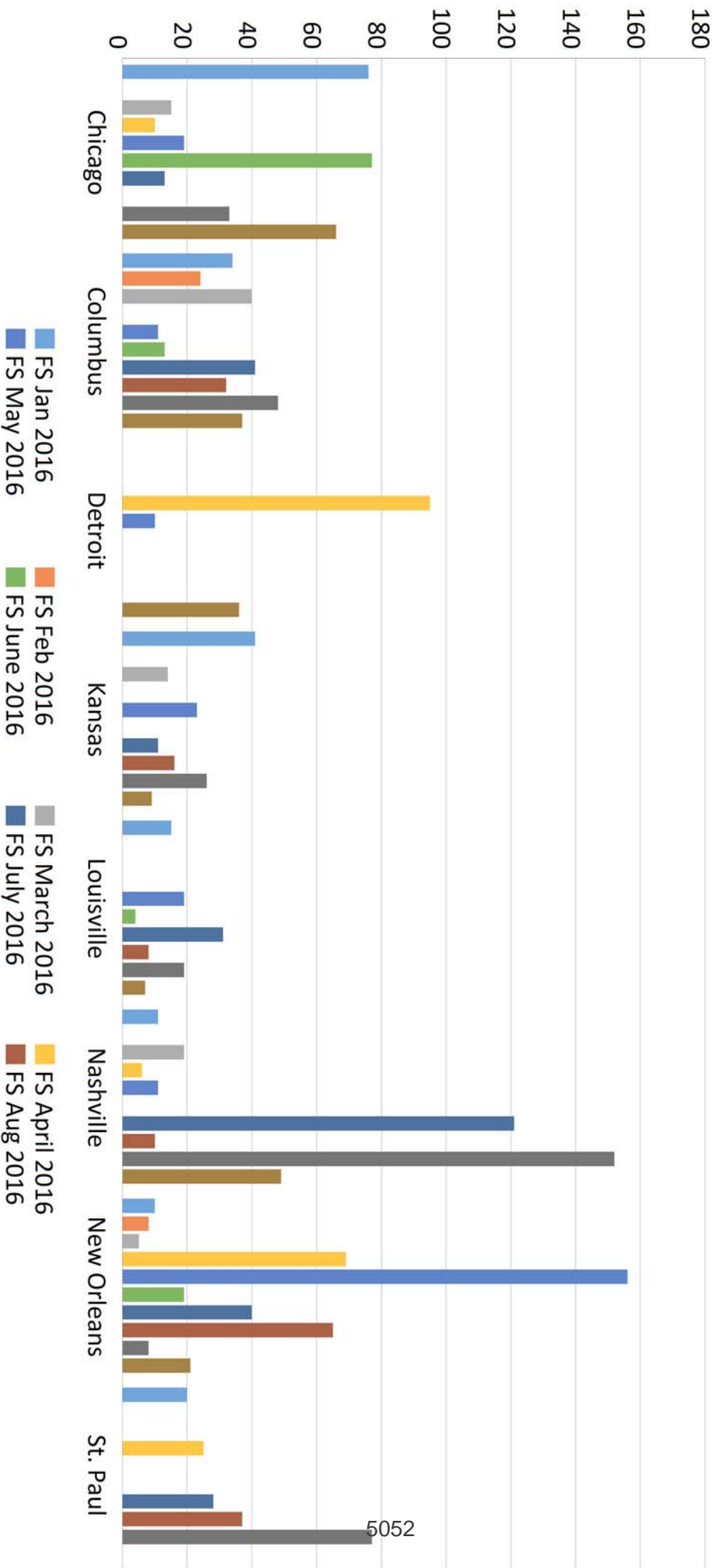
West - January - October Firearms S



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	24	23	222
2	37	23	267
2	4	22	297
1	1	6	45
2	2	13	125
1	3	26	501
0	0	15	112
10	71	128	1569



Central - January - October Firearms Stolen



East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Dallas	3	27	3	10	1	1	3	50
Denver	4	4	0	0	1	5	3	24
Houston	2	27	0	0	0	0	2	10
Los Angeles	0	0	0	0	2	14	0	0
Phoenix	3	87	1	1	2	9	0	0
San Francisco	3	13	3	100	1	18	3	33
Seattle	1	4	1	4	3	20	2	8
Total	16	162	8	115	10	67	13	125
Totals	45	537	23	246	35	330	40	504
Month	Incident	Firearms Stolen						
Jan	45	537						
Feb	23	246						
Mar	35	330						

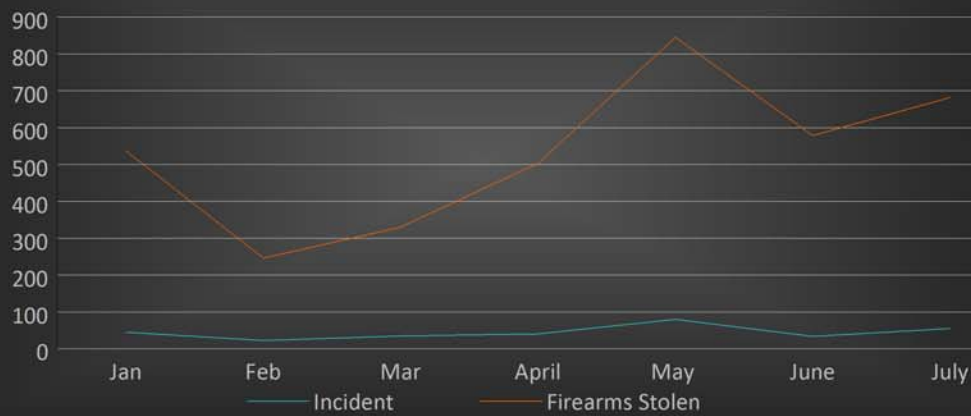
FFL Burgla

[illegible]

Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
8	101	49	759					
0	0	5	33					
1	16	11	91					900
13	387	50	835					
0	0	9	31					800
0	0	4	21					
0	0	0	0					700
1	26	12	160					
4	124	20	379					600
3	35	16	196					
30	689	176	2505					500
								400
Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
2	66	15	309					300
2	37	21	280					200
3	36	12	141					100
1	9	20	140					0
1	7	11	103					
4	49	29	379					
4	21	40	401					
0	0	14	187					
17	225	162	1940					
Oct-16	FS Oct 2016	Total Burglary	Total Firearms		Atlanta	Jan	Feb	Mar
2	24	23	222		Incidents	2	3	6
2	37	23	267		Firearms	26	65	94
2	4	22	297					
1	1	6	45					
2	2	13	125					
1	3	26	501					
0	0	15	112					
10	71	128	1569					
57	985	466	6,014					

FFL Burglaries Jan - Jun 2016

FFL Burglaries Jan - Jul 2016



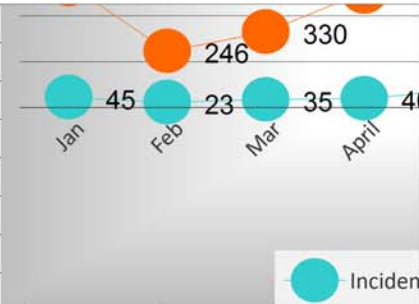
May

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4	5	3	4	0	0	0	0	0	27
71	140	68	57	0	0	0	0	0	521

Atlanta 2016



April	40	504						
May	80	845						
June	34	579						
July	55	683						
August	52	669						
September	45	636						
October	57	985						
November								
December								





East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
East	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Atlanta	2	3	6	4	5	3	4	9
Baltimore	0	0	0	0	2	1	2	0
Boston	0	2	0	0	4	0	1	1
Charlotte	5	3	3	5	8	2	0	6
Miami	2	1	1	0	3	0	1	1
New York	0	0	0	1	1	0	1	1
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	1	0	4	3	0	1
Tampa	1	3	1	1	2	1	3	2
Washington	2	0	3	3	2	0	0	2
Total	12	12	15	14	31	10	12	23
East	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	26	65	94	71	140	68	57	104
Baltimore	0	0	0	0	2	3	28	0
Boston	0	8	0	0	26	0	21	14
Charlotte	80	21	49	32	47	60	0	122
Miami	2	1	1	0	6	0	16	5
New York	0	0	0	3	1	0	9	8
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	3	0	45	68	0	5
Tampa	2	4	1	11	72	2	98	10
Washington	58	0	22	57	8	0	0	6
Total	168	99	170	174	347	201	229	274

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
Sep-16	Oct-16	Total Burglary							
5	8	49							
0	0	5							
2	1	11							
5	13	50							
0	0	9							
0	0	4							
0	0	0							
2	1	12							
2	4	20							
1	3	16							
17	30	176							
FS Sep 2016	FS Oct 2016	Total Firearms							
33	101	759							
0	0	33							
6	16	91							
37	387	835							
0	0	31							
0	0	21							
0	0	0							
13	26	160							
55	124	379							
10	35	196							
154	689	2505							

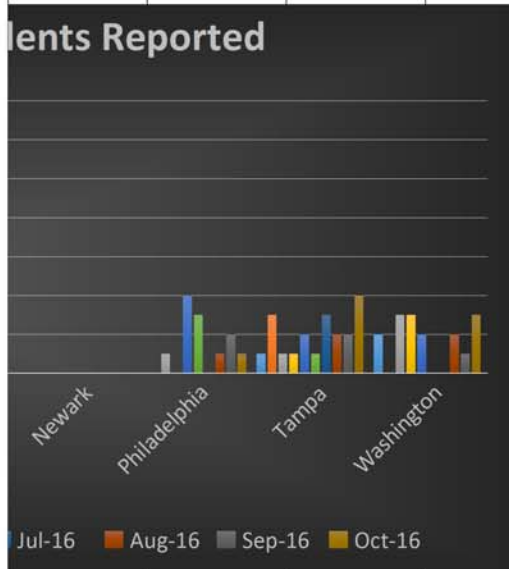
East - January - October Incid

Legend: Jan-16, Feb-16, Mar-16, Apr-16, May-16, Jun-16

East - January - October Fire

Legend: FS Jan 2016, FS Feb 2016, FS March 2016, FS April 2016, FS May 2016, FS June 2016, FS July 2016, FS Aug 2016

Oct-16	FS Oct 2016	Total Burglary	Total Firearms
8	101	49	759
0	0	5	33
1	16	11	91
13	387	50	835
0	0	9	31
0	0	4	21
0	0	0	0
1	26	12	160
4	124	20	379
3	35	16	196
30	689	176	2505

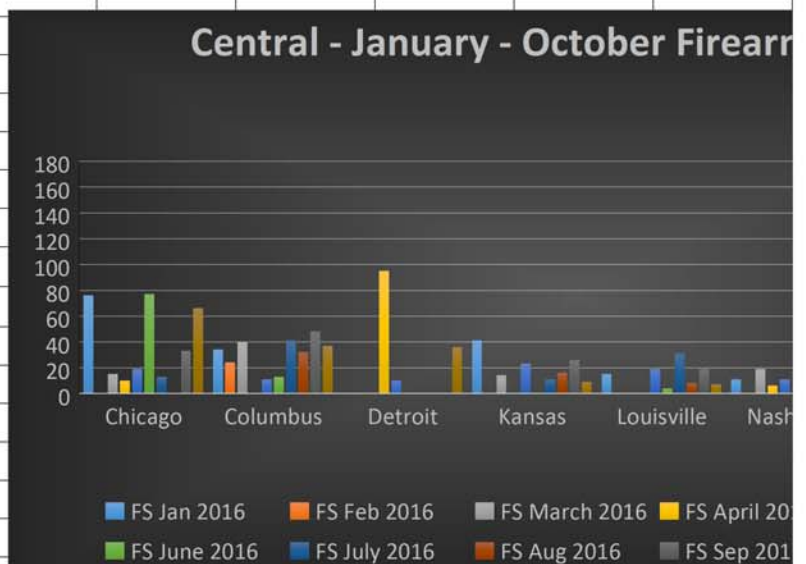
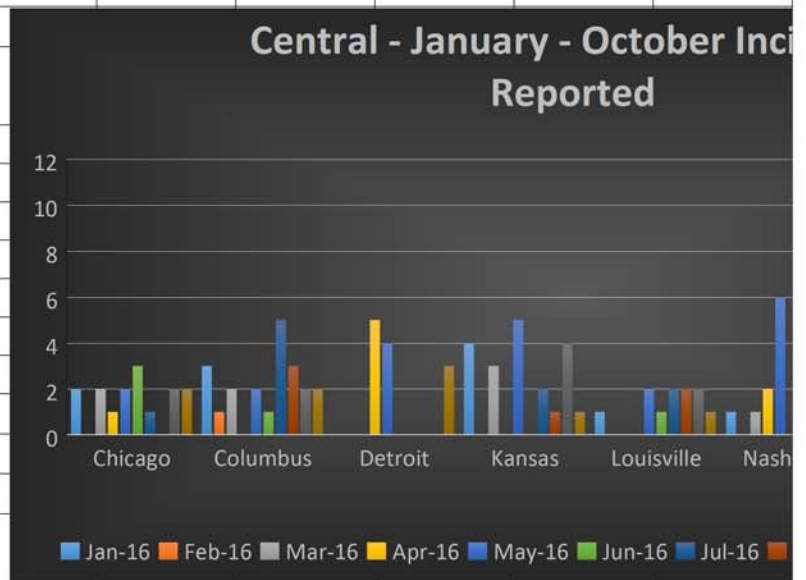


Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
Central	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Chicago	2	0	2	1	2	3	1	0
Columbus	3	1	2	0	2	1	5	3
Detroit	0	0	0	5	4	0	0	0
Kansas	4	0	3	0	5	0	2	1
Louisville	1	0	0	0	2	1	2	2
Nashville	1	0	1	2	6	0	7	1
New Orleans	3	2	2	4	11	3	5	4
St. Paul	3	0	0	1	0	0	5	4
Total	17	3	10	13	32	8	27	15
Central	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Chicago	76	0	15	10	19	77	13	0
Columbus	34	24	40	0	11	13	41	32
Detroit	0	0	0	95	10	0	0	0
Kansas	41	0	14	0	23	0	11	16
Louisville	15	0	0	0	19	4	31	8
Nashville	11	0	19	6	11	0	121	10
New Orleans	10	8	5	69	156	19	40	65
St. Paul	20	0	0	25	0	0	28	37
Total	207	32	93	205	249	113	285	168

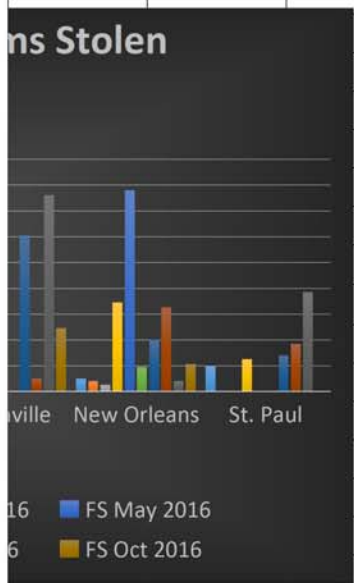
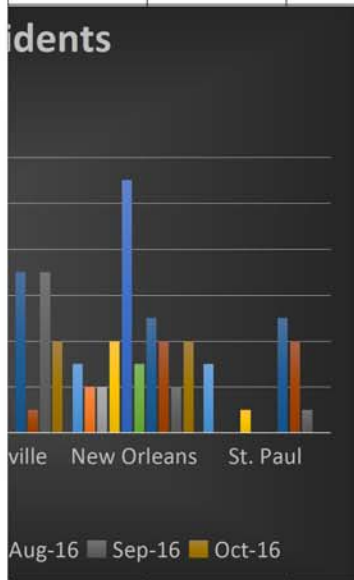
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363

Sep-16	Oct-16	Total Burglary
2	2	15
2	2	21
0	3	12
4	1	20
2	1	11
7	4	29
2	4	40
1	0	14
20	17	162

FS Sep 2016	FS Oct 2016	Total Firearms
33	66	309
48	37	280
0	36	141
26	9	140
19	7	103
152	49	379
8	21	401
77	0	187
363	225	1940



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	66	15	309
2	37	21	280
3	36	12	141
1	9	20	140
1	7	11	103
4	49	29	379
4	21	40	401
0	0	14	187
17	225	162	1940

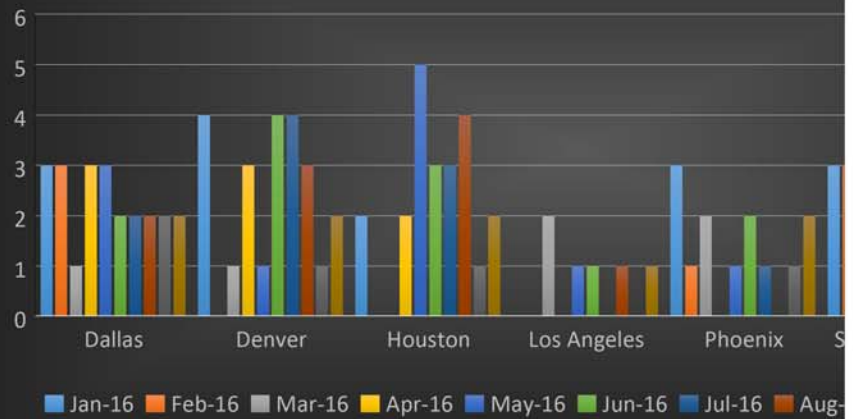


May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119

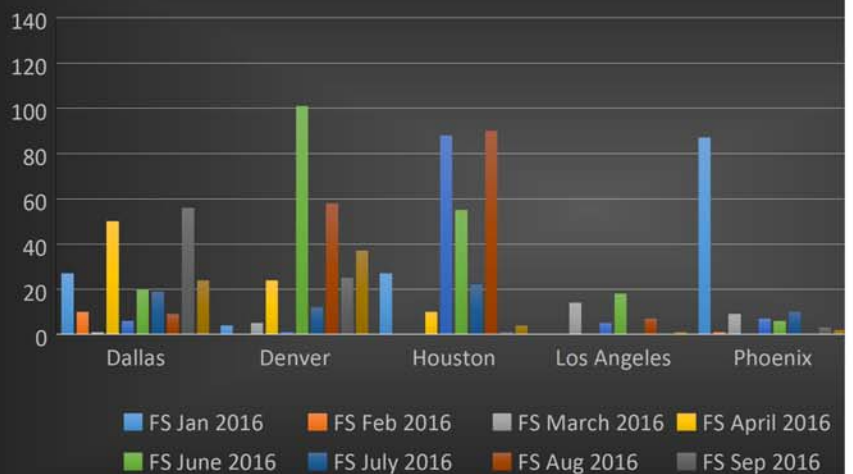
Sep-16	Oct-16	Total Burglary
2	2	23
1	2	23
1	2	22
0	1	6
1	2	13
2	1	26
1	0	15
8	10	128

FS Sep 2016	FS Oct 2016	Total Firearms
56	24	222
25	37	267
1	4	297
0	1	45
3	2	125
23	3	501
11	0	112
119	71	1569

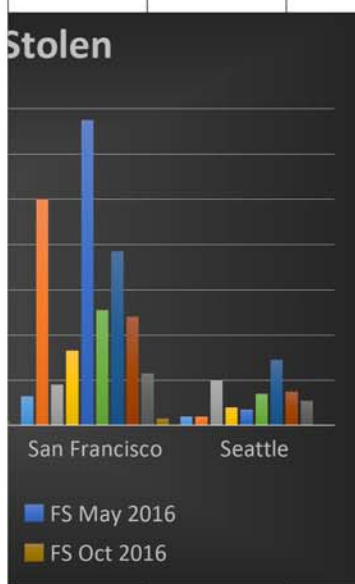
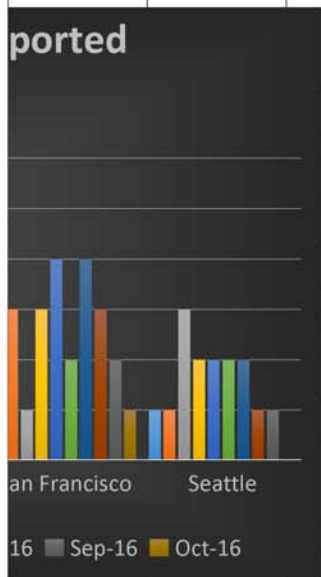
West - January - October Incidents Re



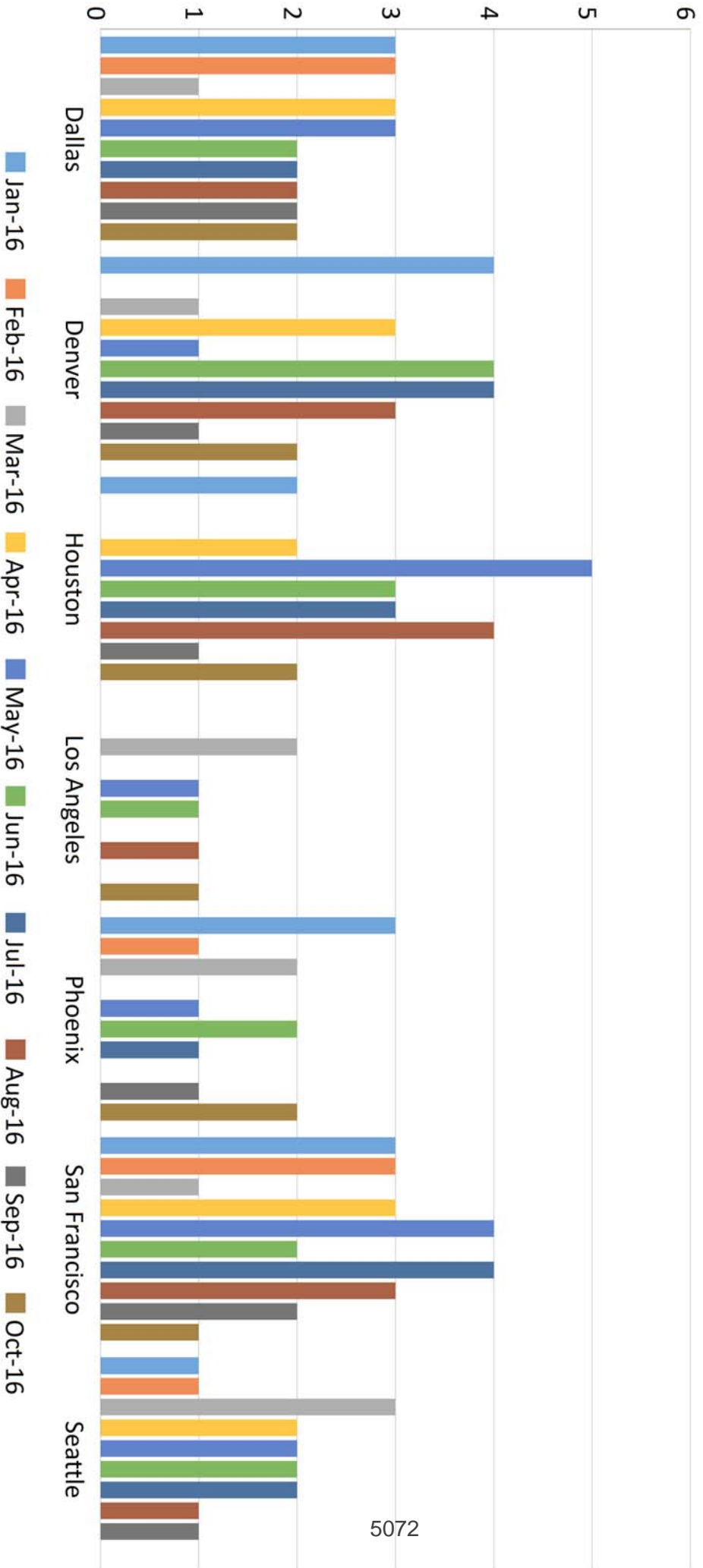
West - January - October Firearms S



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	24	23	222
2	37	23	267
2	4	22	297
1	1	6	45
2	2	13	125
1	3	26	501
0	0	15	112
10	71	128	1569



West - January - October Incidents Reported



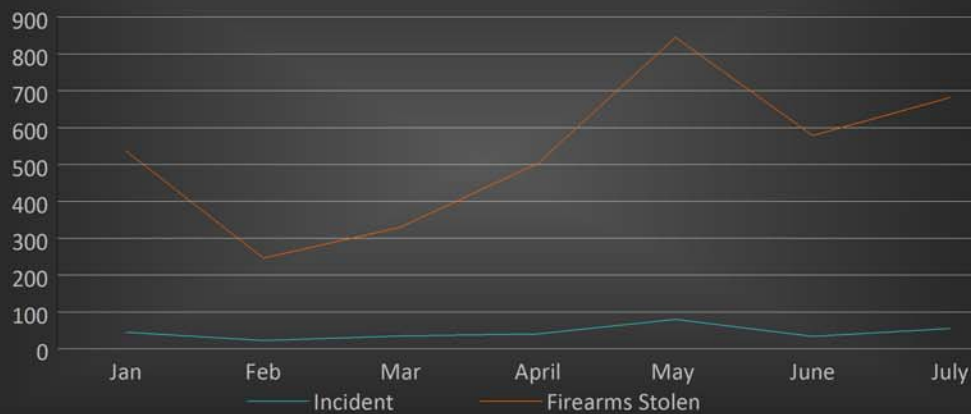
East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Dallas	3	27	3	10	1	1	3	50
Denver	4	4	0	0	1	5	3	24
Houston	2	27	0	0	0	0	2	10
Los Angeles	0	0	0	0	2	14	0	0
Phoenix	3	87	1	1	2	9	0	0
San Francisco	3	13	3	100	1	18	3	33
Seattle	1	4	1	4	3	20	2	8
Total	16	162	8	115	10	67	13	125
Totals	45	537	23	246	35	330	40	504
Month	Incident	Firearms Stolen						
Jan	45	537					FFL Burglary	
Feb	23	246						
Mar	35	330						

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119
80	845	34	579	55	683	52	669	45	636
Series Jan - Oct 2016									

Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
8	101	49	759					
0	0	5	33					
1	16	11	91					900
13	387	50	835					
0	0	9	31					800
0	0	4	21					
0	0	0	0					700
1	26	12	160					
4	124	20	379					600
3	35	16	196					
30	689	176	2505					500
								400
Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
2	66	15	309					300
2	37	21	280					200
3	36	12	141					100
1	9	20	140					0
1	7	11	103					
4	49	29	379					
4	21	40	401					
0	0	14	187					
17	225	162	1940					
Oct-16	FS Oct 2016	Total Burglary	Total Firearms		Atlanta	Jan	Feb	Mar
2	24	23	222		Incidents	2	3	6
2	37	23	267		Firearms	26	65	94
2	4	22	297					
1	1	6	45					
2	2	13	125					
1	3	26	501					
0	0	15	112					
10	71	128	1569					
57	985	466	6,014					

FFL Burglaries Jan - Jun 2016

FFL Burglaries Jan - Jul 2016

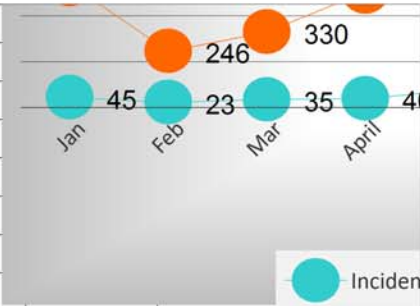


May

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4	5	3	4	0	0	0	0	0	27
71	140	68	57	0	0	0	0	0	521

Atlanta 2016



April	40	504						
May	80	845						
June	34	579						
July	55	683						
August	52	669						
September	45	636						
October	57	985						
November								
December								



East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
East	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Atlanta	2	3	6	4	5	3	4	9
Baltimore	0	0	0	0	2	1	2	0
Boston	0	2	0	0	4	0	1	1
Charlotte	5	3	3	5	8	2	0	6
Miami	2	1	1	0	3	0	1	1
New York	0	0	0	1	1	0	1	1
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	1	0	4	3	0	1
Tampa	1	3	1	1	2	1	3	2
Washington	2	0	3	3	2	0	0	2
Total	12	12	15	14	31	10	12	23
East	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	26	65	94	71	140	68	57	104
Baltimore	0	0	0	0	2	3	28	0
Boston	0	8	0	0	26	0	21	14
Charlotte	80	21	49	32	47	60	0	122
Miami	2	1	1	0	6	0	16	5
New York	0	0	0	3	1	0	9	8
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	3	0	45	68	0	5
Tampa	2	4	1	11	72	2	98	10
Washington	58	0	22	57	8	0	0	6
Total	168	99	170	174	347	201	229	274

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
Sep-16	Oct-16	Total Burglary							
5	8	49							
0	0	5							
2	1	11							
5	13	50							
0	0	9							
0	0	4							
0	0	0							
2	1	12							
2	4	20							
1	3	16							
17	30	176							
FS Sep 2016	FS Oct 2016	Total Firearms							
33	101	759							
0	0	33							
6	16	91							
37	387	835							
0	0	31							
0	0	21							
0	0	0							
13	26	160							
55	124	379							
10	35	196							
154	689	2505							

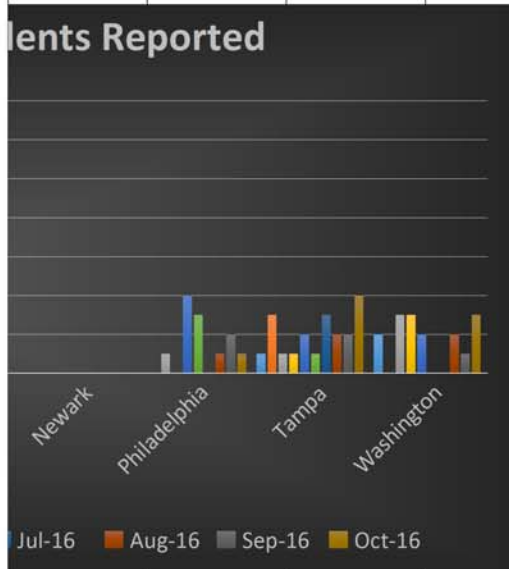
East - January - October Incid

City	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16
Atlanta	2	4	6	9	5	4
Baltimore	2	2	1	1	1	1
Boston	2	2	2	2	2	2
Charlotte	5	3	3	13	8	2
Miami	2	1	1	1	3	1
New York	1	1	1	1	1	1

East - January - October Fire

City	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016
Atlanta	20	80	100	110	150	100
Baltimore	10	10	10	10	10	10
Boston	10	10	10	10	10	10
Charlotte	80	130	100	390	100	50
Miami	10	10	10	10	10	10
New York	10	10	10	10	10	10

Oct-16	FS Oct 2016	Total Burglary	Total Firearms
8	101	49	759
0	0	5	33
1	16	11	91
13	387	50	835
0	0	9	31
0	0	4	21
0	0	0	0
1	26	12	160
4	124	20	379
3	35	16	196
30	689	176	2505

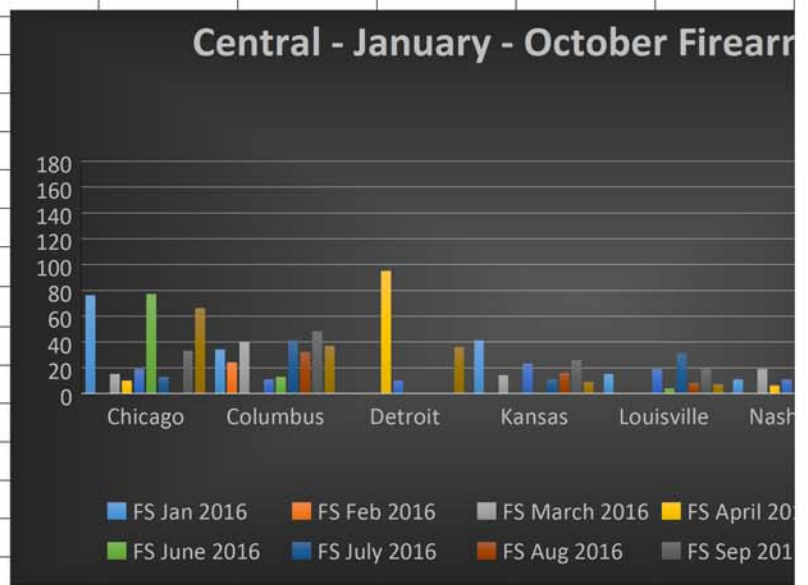
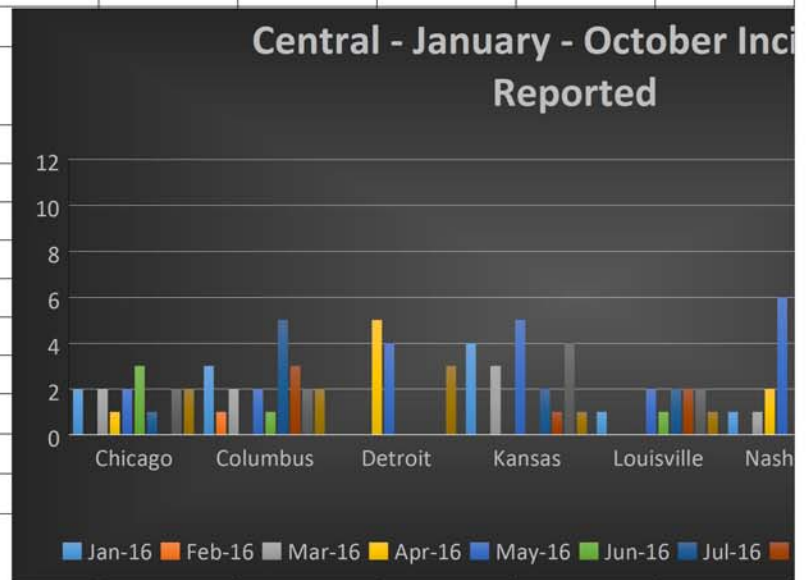


Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
Central	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Chicago	2	0	2	1	2	3	1	0
Columbus	3	1	2	0	2	1	5	3
Detroit	0	0	0	5	4	0	0	0
Kansas	4	0	3	0	5	0	2	1
Louisville	1	0	0	0	2	1	2	2
Nashville	1	0	1	2	6	0	7	1
New Orleans	3	2	2	4	11	3	5	4
St. Paul	3	0	0	1	0	0	5	4
Total	17	3	10	13	32	8	27	15
Central	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Chicago	76	0	15	10	19	77	13	0
Columbus	34	24	40	0	11	13	41	32
Detroit	0	0	0	95	10	0	0	0
Kansas	41	0	14	0	23	0	11	16
Louisville	15	0	0	0	19	4	31	8
Nashville	11	0	19	6	11	0	121	10
New Orleans	10	8	5	69	156	19	40	65
St. Paul	20	0	0	25	0	0	28	37
Total	207	32	93	205	249	113	285	168

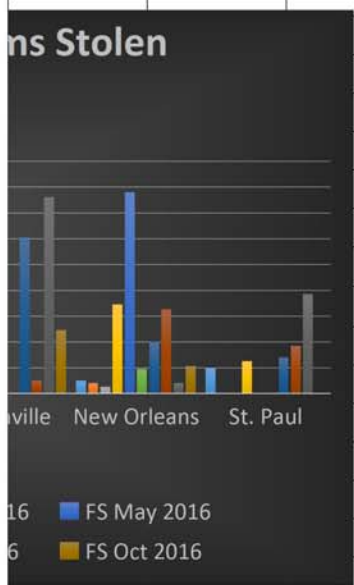
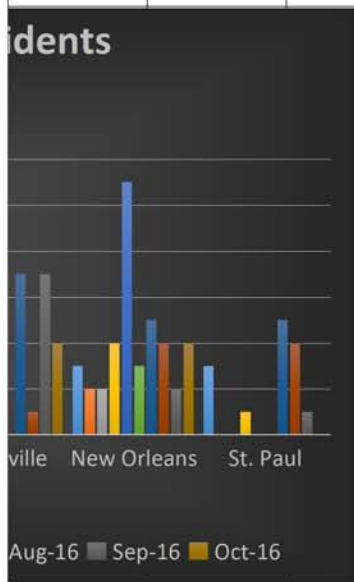
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363

Sep-16	Oct-16	Total Burglary
2	2	15
2	2	21
0	3	12
4	1	20
2	1	11
7	4	29
2	4	40
1	0	14
20	17	162

FS Sep 2016	FS Oct 2016	Total Firearms
33	66	309
48	37	280
0	36	141
26	9	140
19	7	103
152	49	379
8	21	401
77	0	187
363	225	1940



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	66	15	309
2	37	21	280
3	36	12	141
1	9	20	140
1	7	11	103
4	49	29	379
4	21	40	401
0	0	14	187
17	225	162	1940

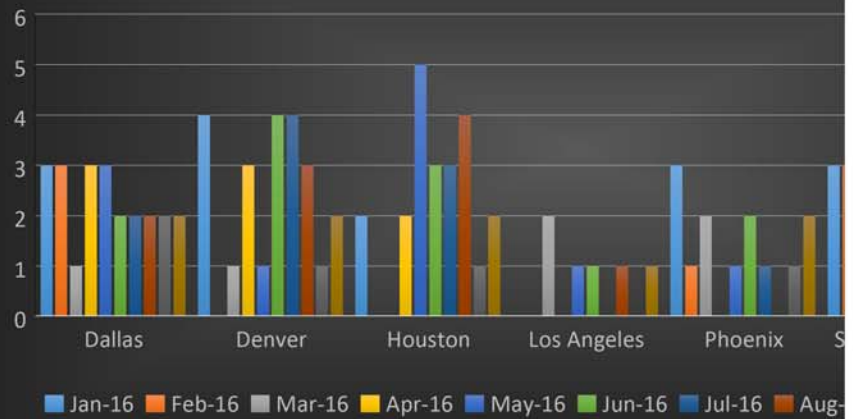


May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119

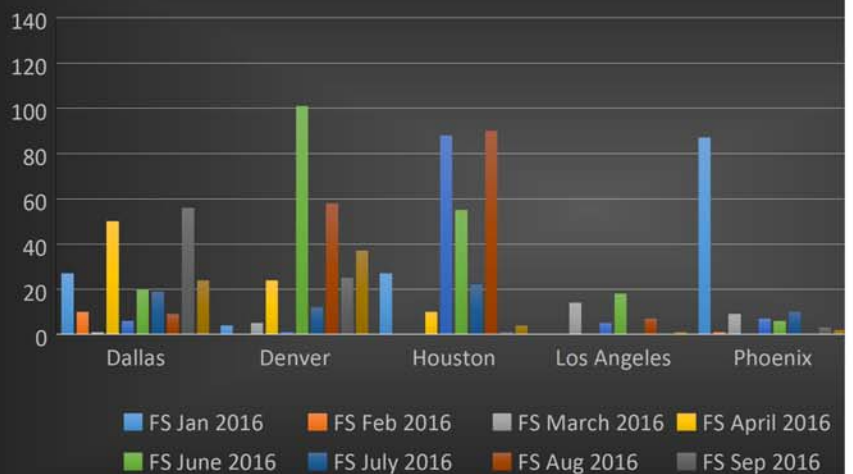
Sep-16	Oct-16	Total Burglary
2	2	23
1	2	23
1	2	22
0	1	6
1	2	13
2	1	26
1	0	15
8	10	128

FS Sep 2016	FS Oct 2016	Total Firearms
56	24	222
25	37	267
1	4	297
0	1	45
3	2	125
23	3	501
11	0	112
119	71	1569

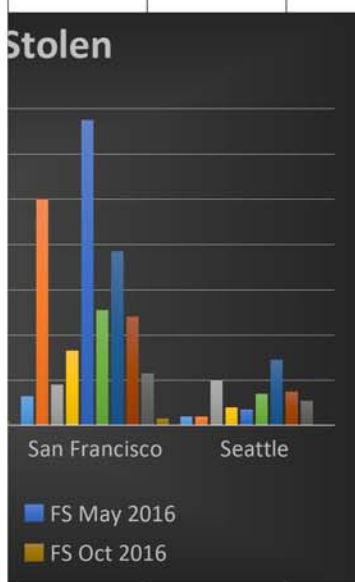
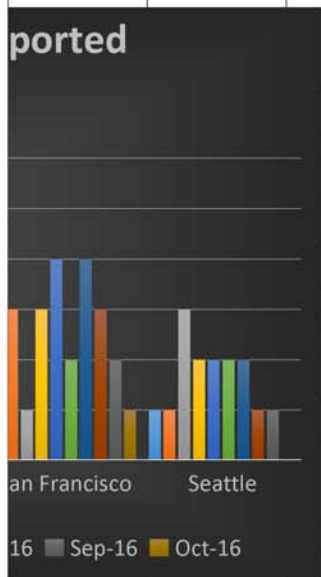
West - January - October Incidents Re



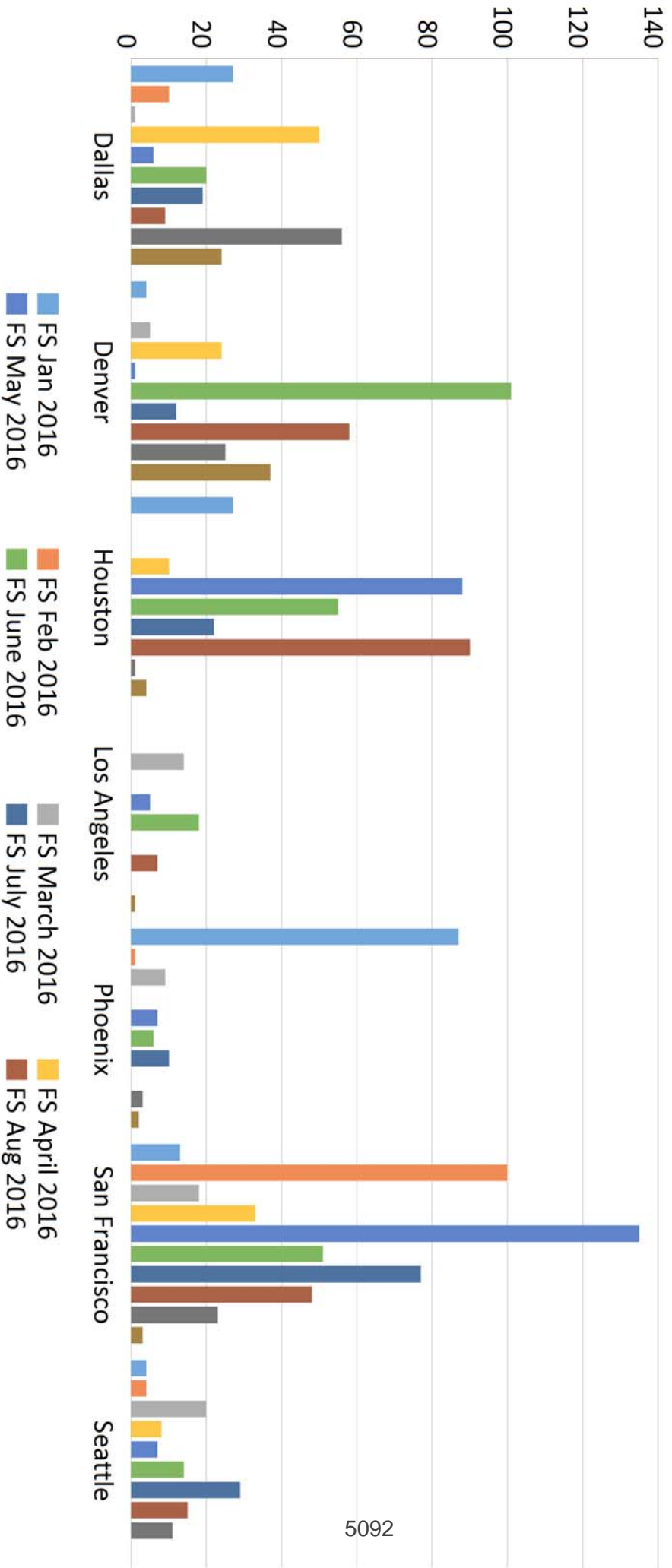
West - January - October Firearms S



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	24	23	222
2	37	23	267
2	4	22	297
1	1	6	45
2	2	13	125
1	3	26	501
0	0	15	112
10	71	128	1569



West - January - October Firearms Stolen



East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
West	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Dallas	3	27	3	10	1	1	3	50
Denver	4	4	0	0	1	5	3	24
Houston	2	27	0	0	0	0	2	10
Los Angeles	0	0	0	0	2	14	0	0
Phoenix	3	87	1	1	2	9	0	0
San Francisco	3	13	3	100	1	18	3	33
Seattle	1	4	1	4	3	20	2	8
Total	16	162	8	115	10	67	13	125
Totals	45	537	23	246	35	330	40	504
Month	Incident	Firearms Stolen						
Jan	45	537						
Feb	23	246						
Mar	35	330						

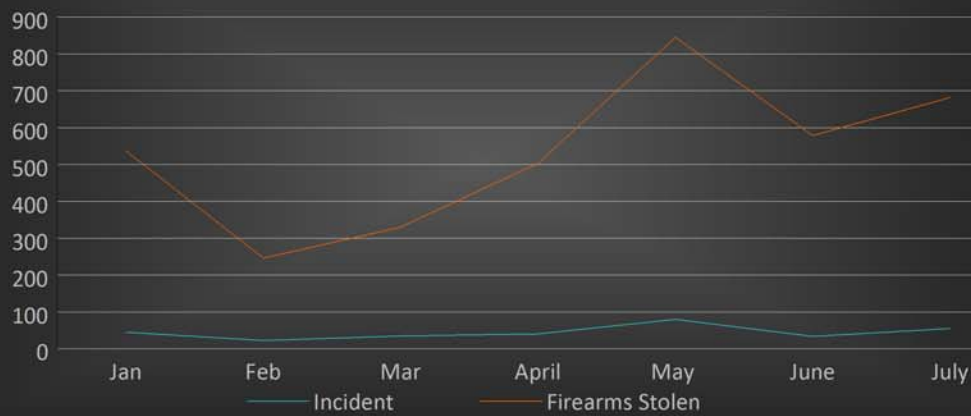
FFL Burgla

[illegible]

Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
8	101	49	759					
0	0	5	33					
1	16	11	91					900
13	387	50	835					
0	0	9	31					800
0	0	4	21					
0	0	0	0					700
1	26	12	160					
4	124	20	379					600
3	35	16	196					
30	689	176	2505					500
								400
Oct-16	FS Oct 2016	Total Burglary	Total Firearms					
2	66	15	309					300
2	37	21	280					200
3	36	12	141					100
1	9	20	140					0
1	7	11	103					
4	49	29	379					
4	21	40	401					
0	0	14	187					
17	225	162	1940					
Oct-16	FS Oct 2016	Total Burglary	Total Firearms		Atlanta	Jan	Feb	Mar
2	24	23	222		Incidents	2	3	6
2	37	23	267		Firearms	26	65	94
2	4	22	297					
1	1	6	45					
2	2	13	125					
1	3	26	501					
0	0	15	112					
10	71	128	1569					
57	985	466	6,014					

FFL Burglaries Jan - Jun 2016

FFL Burglaries Jan - Jul 2016



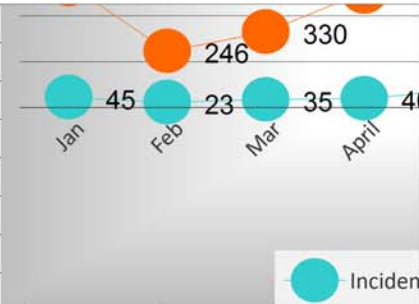
May

Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
4	5	3	4	0	0	0	0	0	27
71	140	68	57	0	0	0	0	0	521

Atlanta 2016



April	40	504						
May	80	845						
June	34	579						
July	55	683						
August	52	669						
September	45	636						
October	57	985						
November								
December								





East	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Atlanta	2	26	3	65	6	94	4	71
Baltimore	0	0	0	0	0	0	0	0
Boston	0	0	2	8	0	0	0	0
Charlotte	5	80	3	21	3	49	5	32
Miami	2	2	1	1	1	1	0	0
New York	0	0	0	0	0	0	1	3
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	0	0	1	3	0	0
Tampa	1	2	3	4	1	1	1	11
Washington	2	58	0	0	3	22	3	57
Total	12	168	12	99	15	170	14	174
East	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Atlanta	2	3	6	4	5	3	4	9
Baltimore	0	0	0	0	2	1	2	0
Boston	0	2	0	0	4	0	1	1
Charlotte	5	3	3	5	8	2	0	6
Miami	2	1	1	0	3	0	1	1
New York	0	0	0	1	1	0	1	1
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	1	0	4	3	0	1
Tampa	1	3	1	1	2	1	3	2
Washington	2	0	3	3	2	0	0	2
Total	12	12	15	14	31	10	12	23
East	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Atlanta	26	65	94	71	140	68	57	104
Baltimore	0	0	0	0	2	3	28	0
Boston	0	8	0	0	26	0	21	14
Charlotte	80	21	49	32	47	60	0	122
Miami	2	1	1	0	6	0	16	5
New York	0	0	0	3	1	0	9	8
Newark	0	0	0	0	0	0	0	0
Philadelphia	0	0	3	0	45	68	0	5
Tampa	2	4	1	11	72	2	98	10
Washington	58	0	22	57	8	0	0	6
Total	168	99	170	174	347	201	229	274

May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
5	140	3	68	4	57	9	104	5	33
2	2	1	3	2	28	0	0	0	0
4	26	0	0	1	21	1	14	2	6
8	47	2	60	0	0	6	122	5	37
3	6	0	0	1	16	1	5	0	0
1	1	0	0	1	9	1	8	0	0
0	0	0	0	0	0	0	0	0	0
4	45	3	68	0	0	1	5	2	13
2	72	1	2	3	98	2	10	2	55
2	8	0	0	0	0	2	6	1	10
31	347	10	201	12	229	23	274	17	154
Sep-16	Oct-16	Total Burglary							
5	8	49							
0	0	5							
2	1	11							
5	13	50							
0	0	9							
0	0	4							
0	0	0							
2	1	12							
2	4	20							
1	3	16							
17	30	176							
FS Sep 2016	FS Oct 2016	Total Firearms							
33	101	759							
0	0	33							
6	16	91							
37	387	835							
0	0	31							
0	0	21							
0	0	0							
13	26	160							
55	124	379							
10	35	196							
154	689	2505							

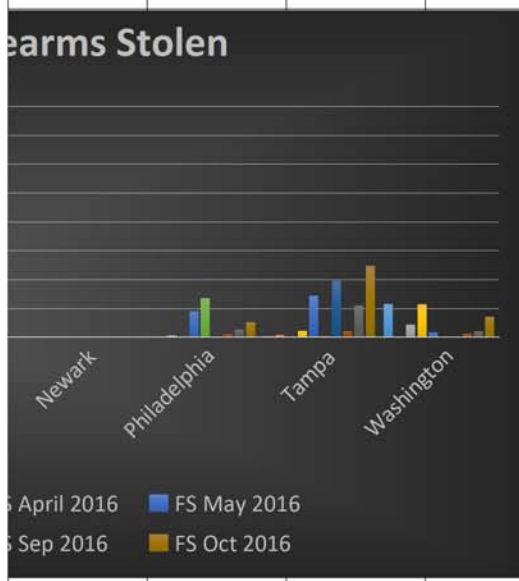
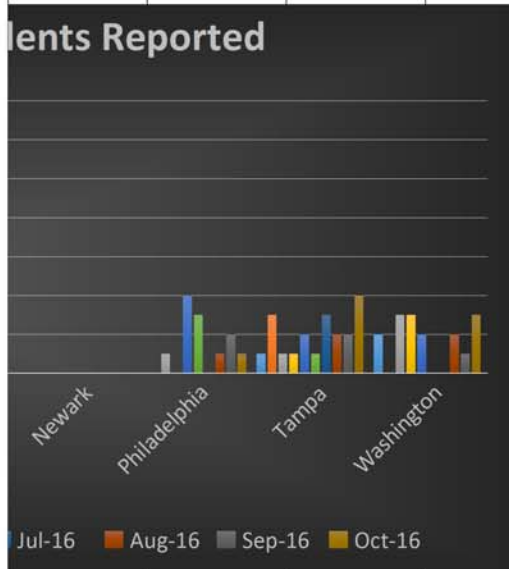
East - January - October Incid

Legend: Jan-16, Feb-16, Mar-16, Apr-16, May-16, Jun-16

East - January - October Fire

Legend: FS Jan 2016, FS Feb 2016, FS March 2016, FS Apr 2016, FS May 2016, FS June 2016, FS July 2016, FS Aug 2016

Oct-16	FS Oct 2016	Total Burglary	Total Firearms
8	101	49	759
0	0	5	33
1	16	11	91
13	387	50	835
0	0	9	31
0	0	4	21
0	0	0	0
1	26	12	160
4	124	20	379
3	35	16	196
30	689	176	2505

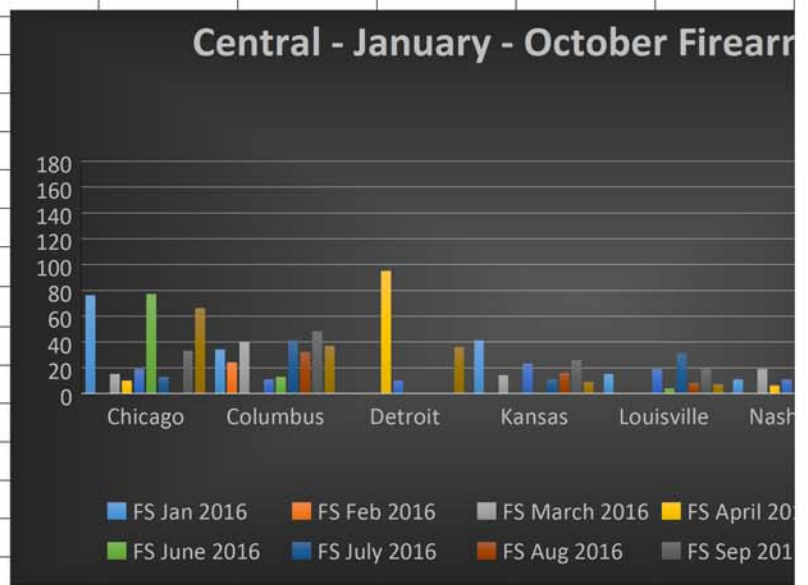
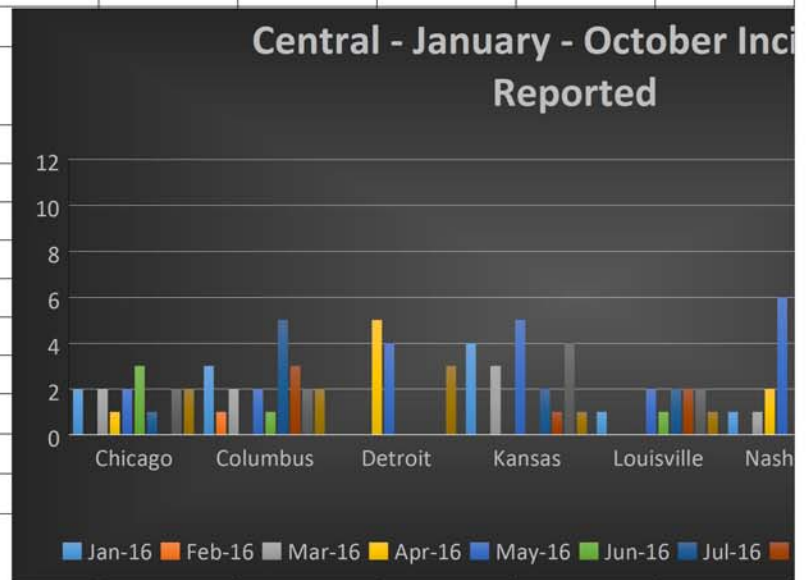


Central	Jan-16	FS Jan 2016	Feb-16	FS Feb 2016	Mar-16	FS March 2016	Apr-16	FS April 2016
Chicago	2	76	0	0	2	15	1	10
Columbus	3	34	1	24	2	40	0	0
Detroit	0	0	0	0	0	0	5	95
Kansas	4	41	0	0	3	14	0	0
Louisville	1	15	0	0	0	0	0	0
Nashville	1	11	0	0	1	19	2	6
New Orleans	3	10	2	8	2	5	4	69
St. Paul	3	20	0	0	0	0	1	25
Total	17	207	3	32	10	93	13	205
Central	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16
Chicago	2	0	2	1	2	3	1	0
Columbus	3	1	2	0	2	1	5	3
Detroit	0	0	0	5	4	0	0	0
Kansas	4	0	3	0	5	0	2	1
Louisville	1	0	0	0	2	1	2	2
Nashville	1	0	1	2	6	0	7	1
New Orleans	3	2	2	4	11	3	5	4
St. Paul	3	0	0	1	0	0	5	4
Total	17	3	10	13	32	8	27	15
Central	FS Jan 2016	FS Feb 2016	FS March 2016	FS April 2016	FS May 2016	FS June 2016	FS July 2016	FS Aug 2016
Chicago	76	0	15	10	19	77	13	0
Columbus	34	24	40	0	11	13	41	32
Detroit	0	0	0	95	10	0	0	0
Kansas	41	0	14	0	23	0	11	16
Louisville	15	0	0	0	19	4	31	8
Nashville	11	0	19	6	11	0	121	10
New Orleans	10	8	5	69	156	19	40	65
St. Paul	20	0	0	25	0	0	28	37
Total	207	32	93	205	249	113	285	168

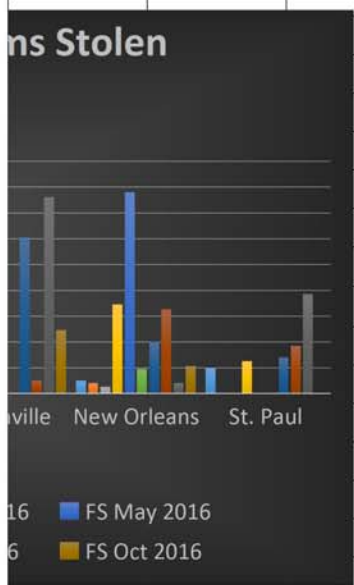
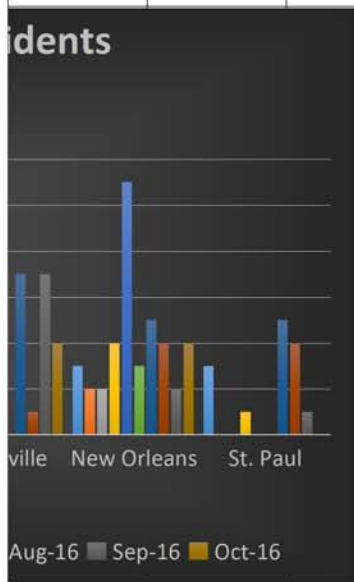
May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
2	19	3	77	1	13	0	0	2	33
2	11	1	13	5	41	3	32	2	48
4	10	0	0	0	0	0	0	0	0
5	23	0	0	2	11	1	16	4	26
2	19	1	4	2	31	2	8	2	19
6	11	0	0	7	121	1	10	7	152
11	156	3	19	5	40	4	65	2	8
0	0	0	0	5	28	4	37	1	77
32	249	8	113	27	285	15	168	20	363

Sep-16	Oct-16	Total Burglary
2	2	15
2	2	21
0	3	12
4	1	20
2	1	11
7	4	29
2	4	40
1	0	14
20	17	162

FS Sep 2016	FS Oct 2016	Total Firearms
33	66	309
48	37	280
0	36	141
26	9	140
19	7	103
152	49	379
8	21	401
77	0	187
363	225	1940



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	66	15	309
2	37	21	280
3	36	12	141
1	9	20	140
1	7	11	103
4	49	29	379
4	21	40	401
0	0	14	187
17	225	162	1940

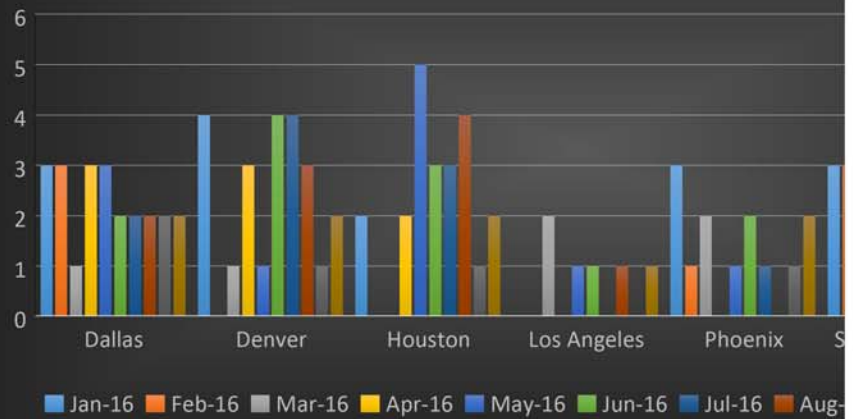


May-16	FS May 2016	Jun-16	FS June 2016	Jul-16	FS July 2016	Aug-16	FS Aug 2016	Sep-16	FS Sep 2016
3	6	2	20	2	19	2	9	2	56
1	1	4	101	4	12	3	58	1	25
5	88	3	55	3	22	4	90	1	1
1	5	1	18	0	0	1	7	0	0
1	7	2	6	1	10	0	0	1	3
4	135	2	51	4	77	3	48	2	23
2	7	2	14	2	29	1	15	1	11
17	249	16	265	16	169	14	227	8	119

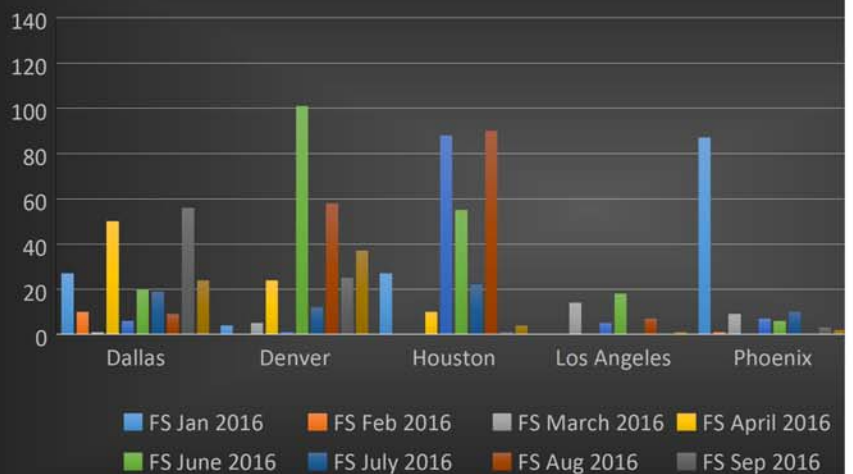
Sep-16	Oct-16	Total Burglary
2	2	23
1	2	23
1	2	22
0	1	6
1	2	13
2	1	26
1	0	15
8	10	128

FS Sep 2016	FS Oct 2016	Total Firearms
56	24	222
25	37	267
1	4	297
0	1	45
3	2	125
23	3	501
11	0	112
119	71	1569

West - January - October Incidents Re



West - January - October Firearms S



Oct-16	FS Oct 2016	Total Burglary	Total Firearms
2	24	23	222
2	37	23	267
2	4	22	297
1	1	6	45
2	2	13	125
1	3	26	501
0	0	15	112
10	71	128	1569

